

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.2769 of 2016

Master P Mukul, Through Father P Venkata Rao, S/o P Ramam Rao, aged about 52 years, R/o Rly Colony, Qtr No 103/4, Behind Railway Reservation Office, PS Mohannagar, Durg (C.G.)

---- Petitioner

Versus

1. Central Board of Secondary Education, Through its Secretary, CBSE, Shiksha Kendra, 2, Community Centre, Preet Vihar, PS Preet Vihar, New Delhi
2. Assistant Secretary (M&M), CBSE, 6th Floor, Alok Bharati Building, Shahid Nagar, PS Shahid Nagar, Bhuwneshwar (Orissa)
3. Principal, MGM Senior Secondary School, Sector – 6, Bhilai, PS Bhilai, Distt. Durg (C.G.)

---- Respondents

For Petitioner: Mr. A.V. Shridhar, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/09/2017

1. Learned counsel for the petitioner submits that the petitioner's application for change of mother's name has been rejected on the ground of rule which has come into force on 25-6-2015, whereas the application is pending prior to that and the application of the petitioner has to be decided on the basis of the rule prevalent at the time when the application was made.
2. Admittedly, in this case, the application was made prior to 25-6-2015.
3. Be that as it may, since the petitioner's case has not been considered on the relevant rule on the date of making application and it has been considered on the basis of new rule, the impugned order is set aside and the Central Board of Secondary Education is directed to consider the case of the petitioner afresh on the basis of the rule prevalent when the application was made by the petitioner.
4. With this observation, the writ petition stands finally disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge