

Sr.No.212

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 19992 of 2016(O&M)
Date of decision:27.04.2017**

Manjeet Singh

.....Petitioner

versus

Central Board of Secondary Education and others

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Nitin Kant Setia, Advocate
for CBSE.

Rakesh Kumar Jain, J.(Oral)

This petition is filed for the issuance of a writ in the nature of certiorari for quashing the order dated 22.08.2016(Annexure P-7) by which an application made by the petitioner for seeking correction in the name of his mother from 'Hardeep Kaur' to 'Gurdeep Kaur' has been declined.

Counsel for the petitioner has submitted that the petitioner was born on 09.09.1999 and in his birth certificate the correct name of his mother has been mentioned. It is also submitted that at the time of taking admission in the Govt. Model Sr. Secondary School, Kulrian, Block-2, Budhlada, Mansa the name of the mother of the petitioner was correctly mentioned as 'Gurdeep Kaur' but school made a mistake in referring the name of the mother of the petitioner to the Board as 'Hardeep Kaur' which was mentioned in the certificate of class Xth as 'Hardeep Kaur'. It is further submitted that the error has also been owned by school i.e. Annexure P-5 making the the correction in the name of mother of the petitioner from 'Hardeep Kaur' to 'Gurdeep Kaur' on 20.07.2016.

Counsel for the respondent however, submits that there is no error on the part of the Board in recording the name of 'Hardeep Kaur' in Class Xth certificate as the same was sent by the school to them.

I have heard both the learned counsel for the parties and after examining the available record, am of the considered opinion that since the Board has recorded the name of 'Hardeep Kaur' in class Xth certificate of the petitioner only on the ground that it has been sent by school which has owned the error of commission on their part in sending the wrong name to the board and has already corrected the name of the mother of the petitioner from 'Hardeep Kaur' to 'Gurdeep Kaur' in their record based upon the admission form in which it has been rightly mentioned as 'Gurdeep Kaur' and also based upon the birth certificate of the petitioner in which also the correct name of the mother of the petitioner i.e. mentioned as 'Gurdeep Kaur', there is no doubt in the mind of this Court that the order dated 22.08.2016(Annexure P-7) passed by the respondent deserves to be quashed and thus, in view of the aforesaid facts and circumstances, the present petition is hereby allowed. Order dated 22.08.2016(Annexure P-7) is quashed and direction is issued to the Board to issue a fresh certificate of 10th class to the petitioner by incorporating the correct name of the petitioner's mother as 'Gurdeep Kaur'. Needful shall be done within a period of two months from the date of receipt of certified copy of this order.

27th April, 2017

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No