

Sr.No.218

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

CWP No. 17 of 2017

Date of decision:23.03.2017

Sai Anukaran

.....Petitioner

versus

Central Board of Secondary Education and another

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Amar Vivek, Advocate
for the petitioner.

Mr. Nitin Kant Setia, Advocate
for the respondents/CBSE.

Rakesh Kumar Jain, J.(Oral)

This petition is filed for seeking a writ in the nature of mandamus to issue a direction to the Central Board of Secondary Education (for short, 'the Board') to rectify the name of the petitioner from 'Anukaran Sai' to 'Sai Anukaran' and to further issue a revised Matriculation and Senior Secondary Certificates i.e. of 10th and 12th Class in time bound manner.

Counsel for the petitioner has submitted that the petitioner is a follower of Satya Sai and thus, has been named as 'Sai Anukaran' but since he got admission in the Sri Sathya Sai Higher Secondary School, Andhra Pradesh, therefore, as per the practice prevailing there his name was mentioned as 'Anukaran Sai' on the pattern that the last name is mentioned first. Presently, the petitioner is studying in the Rajiv Gandhi National Institute of Law, Patiala. This petition had to be filed because he was to attend a short course in US on the sponsorship of University but at the time of completing VISA formalities, the error in the name of the petitioner in his 10th & 12th class was noticed and hence the present petition has been filed.

Counsel for the petitioner has submitted that there is no error in the name of the petitioner except the way it is written in the school record at Andhra Pradesh. Therefore, the same may be directed to be corrected by the Board in its record in order to remove the anomaly in the other certificates of the petitioner in which his name has been correctly recorded as 'Sai Anukaran'.

Although the counsel for the Board has vehemently opposed and submitted that the said rectification can not be done but keeping in view the facts and circumstances of the case and the difficulty being faced by the petitioner because of pattern of writing name as 'Anukaran Sai' instead of 'Sai Anukaran', the present petition is hereby allowed and direction is issued to the Board to make necessary correction in the 10th and 12th class certificates of the petitioner changing the pattern of name from 'Anukaran Sai' to 'Sai Anukaran' and to issue the said certificates as early as possible, preferably within a period of two weeks from the date of receipt of certified copy of this order. It is needless to mention that after obtaining the correct certificates of 10th & 12th class the petitioner would also be entitled to move appropriate applications, wherever required, for the correction of his subsequent academic records. Since the order has been passed in equity because of the pattern has been wrongly adopted by the school at Andhra Pradesh, therefore, it is also directed that this order may not be treated as a precedent.

[Rakesh Kumar Jain]
Judge

23rd March, 2017

Shivani Kaushik

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No