

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

CWP No. 25914 of 2016 (O&M)
Date of decision : July 18, 2017

Samiksha Dhuria

..... Petitioner

v.

State of Punjab and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gurbir Singh, Advocate
for Mr. Dharampal Gill, Advocate
for the petitioner.

Mr. HS Sitta, AAG Punjab

Mr. NK Setia, Advocate
for respondent No.2.

Mr. Sandeep Jasuja, Advocate
for respondent No.3.

Ajay Tewari, J (Oral)

By this writ petition, the petitioner has claimed that the name of her parents be corrected in Class X result card.

Stand of the respondent-CBSE is that the application for changing the name was filed beyond the prescribed period. It is, however, not disputed by the respondent-CBSE that in the 12th class result card issued to the petitioner, her parents' name has been rightly recorded. In normal circumstances, before any such plea could be allowed, it would have been incumbent upon the petitioner to show that the time limit prescribed by the

Board is either illegal, ultra vires or arbitrary. However, in the present case, the issue would really be in the nature of a clerical error in so much as in the two certificates issued by the respondent-Board to the same person, names of the parents are different. Resultantly, the issue would have to be looked into differently than in a case where a substantial change is sought.

In the circumstances, I do not deem it appropriate to deny the prayer made by the petitioner. Consequently, this writ petition is disposed of and the respondent-CBSE is directed to change the name of the parents of the petitioner in Class X result card to bring it in accordance with the names recorded in class XII result card. On the request of counsel for the respondent-Board, it is permitted to make a note on the bottom of the certificate that the name has been changed due to this order.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

July 18, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No