

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

CWP No. 4270 of 2016 (O&M)
Date of decision : July 20, 2017

Dinkar Mehta

..... Petitioner

v.

Central Board of School Education and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Onkar Singh Batalvi, Advocate
for Mr. GS Simble, Advocate
for the petitioner.

Mr. NK Setia, Advocate
for the respondents.

Ajay Tewari, J (Oral)

By this writ petition, the petitioner is claiming that the name of his mother has been wrongly reflected in his 10th class certificate as Babita Rani instead of Mamta Kumari, whereas in the 12th class certificate it has been correctly reflected.

These essential facts are not disputed by counsel for the respondents, though it is his stand that the respondent-Board had reflected the name in 10th class certificate which the petitioner or his school had mentioned.

Be that as it may, the fact which has now emerged is that there is discrepancy in the name of the mother of the petitioner in the certificate issued for 10th class examination and the certificate issued for 12th class

examination. In an identical matter bearing CWP No. 25914 of 2016 Samiksha Dhuria vs State of Punjab and others, decided on July 18, 2017, this Court held as follows :-

“.....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.”

Resultantly, this writ petition is allowed in the same terms as in CWP No. 25914 of 2016 (supra).

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

July 20, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No