

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CWP-6933-2017
Decided on: 6.9.2017

SARVRINDER SINGH DHALIWAL

...PETITIONER

VS

C.B.S.E. AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.S.Grewal, Advocate
for the petitioner.

Mr. N.K.Setia, Advocate
for respondents No. 1 and 2.

AJAY TEWARI, J.(Oral)

This petition has been filed for correction of the mother's name of the petitioner in the Matriculation certificate from 'Sarabjit Kaur' to 'Sarbjit Kaur'.

On 12.5.2017, the following order was passed:

“Learned counsel for petitioner is directed to file an affidavit on behalf of mother in which she stated that she has not incurred any civil or criminal liability with the name of Sarabjit Kaur.

Needful shall be done on or before the next date of hearing.

Adjourned to 7.7.2017.”

On the last date the affidavit was placed on record by the learned counsel for the petitioner and counsel for the respondents was granted time to file reply. No reply to the affidavit has been filed on behalf of the respondents.

A perusal of the record shows that the petitioner had earlier

CWP-6933-2017

filed CWP-14203-2016 in which also prayer was made that the spelling of the name of the mother be changed but that petition was disposed of with a direction to the respondent to decide the representation within four weeks. By order Annexure P-8 the prayer of the petitioner was denied prompting the petitioner to approach this Court. The ground taken for rejection is that the mistake was committed by the respondent No.3-school and therefore respondents No.1 and 2 could not correct the same.

In my opinion, once it is otherwise established that there was a spelling mistake in the name of the mother of the petitioner and once she had filed an affidavit that she had not incurred any civil or criminal liability, the interest of justice would be met in case the respondents No.1 and 2 change the spelling of the name of mother of the petitioner in the Matriculation certificate and if so desired give a noting that it has been done with effect from now and that she has filed an affidavit that she has not incurred any civil or criminal liability under her name with the wrong spelling. Ordered accordingly. Let the necessary exercise be done within a period of one month from the date of a receipt of certified copy of this order.

Petition stands allowed. The impugned letter/orders (Annexure P-6) dated 7.9.2016 is quashed.

6.9.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No