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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2972/2017

RAHUL YADAV

..... Petitioner

Through Mr. S.S. Ahluwalia and Mr. Jatin
Teotia, Advs.

versus

CENTRAL BOARD OF SECONDARY EDUCATION AND ANR

..... Respondents

Through Mr. Atul Kumar, Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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24.10.2017

By way of this petition, the petitioner is seeking change of his father's name in the CBSE record. The name of the petitioner has been reflected as Prag Yadav which is in fact the name of grandfather of the petitioner; the correct name of the father of the petitioner is Jang Bhadhur Yadav. The petitioner had made a representation to the school (respondent No.2). The school vide its letter dated 05.10.2013 had given the amended corrected name of the father of the petitioner meaning thereby that it was established that it was a fault of the school that the name of the father of the petitioner was wrongly recorded in the records of the school.

Learned counsel for the petitioner places reliance upon a judgment of a Co-ordinate Bench of this Court delivered in W.P.(C) No.11332/2015 (24.05.2016) Aadarsh Pandey Vs. Central Board of Secondary Education Delhi and Anr where a similar issue had arisen

and the Court noting that the error in the record of the CBSE was for the reason that the first error/mistake had been committed by the respondent school and the same not being attributable to the party, the correction in the record of the CBSE had been ordered.

This Court is of the view that the petitioner has committed no default; the default, if any, lies with respondent No.2. The petitioner cannot be made to suffer. Accordingly, since the limitation prescribed in the Amended Bye-laws 69.1 (ii) of the Examination Bye-laws will now not be applicable. The writ petition is allowed and respondent No.1 is directed to correct the name of the father of the petitioner from Prag Yadav to Jang Bhadhur Yadav. The original certificate shall be furnished to the petitioner to the CBSE for the necessary correction. The exercise shall be carried out by the CBSE within a period of four weeks.

Petition disposed of.

INDERMEET KAUR, J

OCTOBER 24, 2017

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