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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2569/2017

ATHULYA SATHIYABALAN & ORS

..... Petitioners

Through: Mr. Yash Sampat, Adv.

versus

CENTRAL BOARD OF SECONDARY EDUCATION (CBSE) & ANR

..... Respondents

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

Mr. S. Rajappa, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.05.2017

Petitioner has assailed the order dated 15th September, 2015 of the respondent no.1; whereby request of the petitioner for correction in the spellings of the petitioners' names in the 10th Class certificate of petitioner no.1, has been denied on the ground that such request was made after a period of one year as envisaged under Rule 69.1 and 69.2 of the Examination Bye-laws of CBSE. Petitioner nos. 2 and 3 are parents of petitioner no.1. I find that petitioners had made applications with the respondent no.2 within one year.

It is noted that Rule 69.1 provides the limitation of one year, for the correction of the names. Rule 69.2 relates to the correction of the date of birth.

In this case, correction in the date of birth is not involved, therefore, Rule 69.2 is not attracted. As regards, Rule 69.1 is concerned, petitioner no.1 had appeared in the 10th Class examination conducted by the respondent no.1 in

the year 2014, for the academic session 2013-14. Result was declared on 20th May, 2014. Petitioners made an application with the school for correction in the names/surnames on 4th March, 2015 i.e. well before the expiry of one year period. It is the respondent no.2 who took time in forwarding the application to respondent no.1. Respondent no.2 forwarded the application to respondent no.1 only on 17th August, 2015.

Learned counsel for the respondent no.1 has not disputed the dates mentioned above. Accordingly, date of receipt of application by the respondent no.2 is material for the purpose of counting the time taken, which is within the period of one year.

For the forgoing reasons, writ petition is disposed of with the directions to respondent no.1 to carry out necessary changes in the names/surnames of the petitioners in the 10th Class certificate of petitioner no.1. Petitioners shall deposit the certificate with the respondent no.1 within four weeks who shall thereafter make necessary corrections within four weeks. Dasti.

A.K. PATHAK, J.

MAY 08, 2017/ga