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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11649/2016**

MASTER KARTIKEY AND ANR Petitioners
Through: Mr.Vipul Goel, Adv.

versus

CENTRAL BOARD OF SECONDARY EDUCATION (CBSE) AND ANR Respondents
Through: Mr. Atul Kumar, Adv. for R-1

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **28.03.2017**

1. The present petition has been filed by Master Kartikey (petitioner no.1) and his mother Ms. Sangeeta Chaudhary (petitioner no.2) for correction of her name in the certificate issued by the CBSE on 28th May, 2016 to petitioner no.1, whereby her name has been spelled as Manvi Sangeeta instead of Sangeeta Chaudhary. Mr.Vipul Goel would rely on bye-law 69.1 (ii) to contend that the request for correction of name was made within one year from the date of issuance of the certificate to the petitioner no.1 by the CBSE and the CBSE was required to correct the same. Mr.Vipul Goel would also submit that if this correction is not affected in the certificate, there would be anomaly inasmuch as the name of the petitioner no.2 in the passport issued to her and the birth certificate issued by the local authority depicts her name as Sangeeta Chaudhary.

2. I am not in agreement with the arguments advanced by

Mr.Vipul Goel inasmuch as the relief even though sought for is for correction in the name of petitioner no.2 but is in effect, for a change of name of petitioner no.2, which would be regulated by the bye-law 69.1(i), which reads as under:

“Applications regarding changes in name or surname of candidates may be considered, provided the changes have been admitted by the Court of law and notified in the Government Gazette before the publication of the result of the candidate.”

3. In other words, the request for the change of name should have to be made before publication of the result of the candidate. In this case, it should have been before the petitioner no.1's class 10th result was declared, which admittedly has been declared, before the request was made.

4. That apart, it is the conceded position that in para 14 of the writ petition, it has been stated that the parents of the petitioner no.1 have inadvertently mentioned the nick name of petitioner no.2 (mother) in the admission form.

5. Insofar as the plea of Mr.Vipul Goel by relying upon the name of the petitioner no.2 in the passport and the birth certificate issued by the local authority, wherein the name of the petitioner no.2 is depicted as Sangeeta Chaudhary, would not compel this Court to grant the relief as prayed for in the present petition inasmuch as the present petition has been directed against the CBSE for correcting the name of petitioner no.2. Surely, the CBSE shall be regulated by its own bye-laws governing the subject. The concerned bye-law having already been reproduced above, the relief as prayed for cannot be

granted.

6. Further the name of the mother of the petitioner no.1 in the certificate was on the asking of the parents of the petitioner no.1, that is petitioner no.2 also.

7. In view of the above, I do not see any merit in the writ petition, the same is dismissed.

V. KAMESWAR RAO, J

MARCH 28, 2017
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