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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10746/2016

VIJAYENDRA NATH LILNGALA & ORS Petitioners
Through: Ms. Shreya Sinha, Adv.

versus

CENTRAL BOARD OF SECONDARY EDUCATION
& ORS Respondents
Through: Mr. Ashok Kumar, Adv. for R1.

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

ORDER
% **16.03.2017**

1. The present petition has been filed by Mr. Vijayendra Nath Lingala and two other being his wife and minor son Master Shiva Surya Lingala for a direction to the CBSE to change the name of the petitioner No.3 as “Shiva Surya Lingala” instead of “L. Shri Shiva Sai Surya” in their records.
2. Even though, the respondents 2 and 3 have not been served, as the relief is primarily against Central Board of Secondary Education, who has filed its counter-affidavit, I have heard the learned counsel for the petitioner and the CBSE.
3. Suffice to state that the petitioner No.3 appeared in class 10th

examination in the year 2015 while he was studying in Air Force Bal Bharti School, Lodhi Road, New Delhi. It is the case of the petitioner that he has changed his name in the year 2016 from L. Shri Shiva Sai Surya to Shiva Surya Lingala. Pursuant thereto an advertisement to that effect was published in local English as well as Hindi newspaper on January 23, 2016 and February 4, 2016. That apart, a gazette notification to that effect was also published in the weekly Gazette of India dated March 12, 2016 – March 18, 2016.

4. That on March 21, 2016, the petitioner No.2 wrote to the Principal, Chinmaya Vidyalaya, which was forwarded to the Section Officer, CBSE on March 22, 2016 for taking necessary action for change of name. The respondent No.1 CBSE rejected the request of the petitioner on April 8, 2016 stating that as per amendment notified on June 25, 2015, in terms of byelaw 69.1(i) of the Examination Byelaw, a Court order is required for carrying out change in the name/surname of the candidate.

5. The issue of change of name is no more res-integra. The change in the names or surnames of candidates may be granted provided changes have been admitted by the Court of Law and notified in the Government Gazette before the publication of the results of the candidates. It is a conceded

position that the petitioner had applied for change of name after the publication of the class 10 result, by which time, he has been issued the certificate as well by the CBSE. There is no challenge to the vires of the relevant byelaw. In the absence of any challenge, the petitioner is not entitled to the relief. I do not see any merit in the petition. The same is dismissed. No costs.

V. KAMESWAR RAO, J

MARCH 16, 2017/ak