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

+ W.P.(C) 7544/2017

RASHI PRADHAN

..... Petitioner

Through: Mr T.D. Yadav, Adv

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr Pramod Tiwari, proxy counsel for
Mr S.D. Nimlesh, Adv for UOI
Mr Ashok Kumar, Adv for R-2&3
Mr.Raghav Kumar Tiwari and Mr.
Dhruva, Advocates for R-4 and R-5.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **28.08.2017**

Petitioner is aggrieved by certain inactions on the part of the respondents. Contention of the petitioner is that the name of the petitioner is Rashi Pradhan; by mistake in her 10th class CBSE examination her name was recorded as Rashi Mohar. She had received her certificate for 10th class CBSE Examination on 30.05.2013. On 23.08.2013, an appropriate application had been made by the petitioner to the respondents seeking a correction in her name; submission all along being that her name was Rashi Pradhan and this has been recorded in all the other documents of the

respondents; it was only in her 10th class CBSE marksheet that the her name was recorded wrongly as Rashi Mohar.

This representation was declined on 13.12.2016; it was noted that the petitioner had not applied for correction in her name within time and as per the amended Rule 69.1(ii) of the Examination Bye Laws; respondent No. 1/CBSE is now prohibited from doing so. The application of the petitioner stood rejected. This contention is disputed.

Learned counsel for the petitioner rightly points out that her application seeking correction in the change of her name was made within less than one year from the date when she received her 10th Class CBSE certificate. The result of the CBSE was declared on 30.05.2013; application was made on 23.08.2013. It was only the respondents who sat over the application of the petitioner for such a long period of time. This court notes the other documents filed by the petitioner (undisputed) which is 9th class certificate issued by CBSE as also the certificate issued by the CBSE for the 12th class Examination including her marksheet (page 27, 30 & 31 of paper book) for the said year. All these documents substantiate the case of the petitioner; her name has been mentioned as Rashi Pradhan.

Noting the above submissions, this court is of the view that the respondent has committed a fault in not answering this representation in favour of the petitioner. Apart from the fact that the petitioner had applied within the timeline granted to her for seeking correction in her name; her stand is also further fortified by the fact that all other documents issued to the petitioner related to her real name which was

Rashi Pradhan; the error crept in only in the Class 10th Certificate and the certificates issued thereafter to her i.e. for the 11th and 12th class had reflected her correct name i.e. Rashi Pradhan.

The prayer made in the petition is allowed. The correction shall be made in the record of the Class 10th Certificate of the petitioner by the respondents within an outer limit of three weeks from today.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 28, 2017
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