

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP-12282 of 2017(O&M)
Date of Decision: 19.12.2018**

Kuljeet Pathak

--Petitioner

Versus

State of Punjab and another

---Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Aditya Pal Singla, Advocate for the petitioner.

Mr.T.P.S.Chawla, DAG, Punjab.

Mr.Harit Sharma, Advocate for respondent No.2.

TEJINDER SINGH DHINDSA.J (Oral)

Instant petition has been filed seeking mandamus to direct the respondent Punjab School Education Board, Mohali to carry out the correction in the name of the father of the petitioner in the matriculation certificate and Matriculate Degree from Binjha Ram to Beeja Ram.

Upon notice of motion having been issued a short reply on behalf of respondents No.1 and 2 have been filed and place on record. Stand taken in the reply is that the petitioner has not submitted any other proof/document which reflects his father's name as Beeja Ram. Further more an objection has been raised in the written statement that a public notice dated 11.05.2017 in the "Times of India" and also in "Rojana Spokesman" under the column of classified advertisements was got inserted regarding change of name from Binjha Ram to that of Beeja Ram. The respondents object that in

such public notice parentage of Beeja Ram has not even been mentioned and as such the same in isolation cannot be accepted to carry out the necessary correction.

The respondent board in the written statement has however, adverted to a notification dated 29.08.2017 and in terms of which a decision has been taken that correction in the father's name/ mother's name beyond the period of five years can also be considered.

The objections taken in the written statement filed on behalf of the respondent board and as noticed herein above cannot be said to be irrelevant. Under such circumstances this Court is not inclined to accept the prayer made in the instant petition.

Accordingly, while declining to interfere instant petition is disposed of with liberty to the petitioner to approach the respondent Punjab School Education Board, Mohali, afresh as regards his prayer for correction of father's name in the matriculation certificate, matriculation degree along with all necessary requisite supporting documents.

In the eventuality of any such representation being preferred by the petitioner, the respondent-Board would be obligated to consider the same in the light of the notification dated 29.8.2017 issued by the Board itself and to take a final decision thereupon expeditiously and in any case within six weeks from the submission of such representation.

Suffice it to observe that while taking a final decision on the representation that may be preferred by the petitioner, the respondent board

would take into consideration the detailed marks card as also the certificate issued by the Punjab School Education Board, Mohali, in favor of the petitioner pertaining to 12th Class examination in which name of the father of the petitioner already stand incorporated as Beeja Ram.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.12.2018
raman

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No