

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

CWP-13272 of 2017

Date of Decision: 19.12.2018

Neetu

--Petitioner

Versus

Punjab School Education Board

---Respondent

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

**Present:- Mr.Gulrej Khan, Advocate for the petitioner.
Mr.R.S.Kalra, Advocate for the respondent.**

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 of the father's name of the petitioner in the education certificates from Jagdish Singh to Jagdeep Singh.

Counsel for the petitioner submits that the petitioner is in possession of all the supporting documents in the nature of birth certificate Annexure P-4, Aadhar Card and Voter Card Annexure P-6 (Colly) and in spite of the same having been furnished, the necessary correction has not been carried out till date.

Upon notice of motion having been issued, a short reply on behalf of the respondent Board has been filed and in which the following

stands has been taken:-

“2. That under the powers conferred under Section 24 Sub Section (2) (1) of the Punjab School Education Board Act, 1969 Amendment Act 1987, 2000, 2005, 2008, 2012, 2013 & 2016, a decision has been taken by the Punjab School Education Board in its meeting dated 11.08.2017 to amend the Punjab School Education Board (Correction in Date of Birth or Father's name or Mother's name) Regulation 1988, as follows:-

4(ii) “ the correction in date of birth or father's name or mother's name shall be allowed on the basis of birth certificate issued or rectified by the competent authority i.e. District Civil Surgeon or other issuing authorities subject to the verification of the birth certificate and payment of prescribed fee. The correction in the date of birth of father's name or mother's name beyond 5 years shall be allowed with no specification of limitation of period/time”

The said amendment has been duly notified vide notification dated 29.08.2017. A true translated copy of the notification dated 29.8.2017 is annexed as R/IT alongwith its vernacular as R1.

3. That in the light of the above mentioned notification dated 29.08.2017, the present petition has become

infructuous as the petitioner can approach the respondent for carrying out correction of father's name and her request will be considered as per the notification dated 29.08.2017."

In view of the above, the present petition is disposed of in terms of granting liberty to the petitioner to apply afresh to Punjab School Education Board, Mohali, and as per requisite format seeking the necessary correction alongwith all supporting documents.

In the eventuality of any such representation being submitted within a period of two weeks from today, the respondent Board would be obligated to consider the same and to take final decision within a period of six weeks thereafter.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.12.2018
raman

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No