

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

CWP No.19373 of 2017(O&M)

Date of Decision:24.9.2018

Ravinder Kumar

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Sumit Sangwan, Advocate for the petitioner

Mr.Aseem Aggarwal and
Mr.N.K.Setia, Advocate for respondents no.1 to 3

Mr.Sudhir Kashyap, Advocate for
Mr.Gaurav Mohunta, Advocate for respondent no.4

...

RAJIV NARAIN RAINA, J. (Oral)

1. By way of this petition filed under Articles 226 & 227 of the Constitution, the petitioner seeks a writ in the nature of certiorari quashing the order dated 9.6.2017 (Annex P-1), whereby his request for correction of his father's name in the certificate/s issued for Secondary School Examination (10th) and Senior Secondary Examination (10+2) has been declined citing regulations of the Board. He also prays for a writ of mandamus directing the respondents to make necessary correction in the spelling mistake in the first name of petitioner's father from 'Bhoop Singh' to 'Bhup Singh'.

2. CM No.14184-CWP of 2018 for placing on record affidavit of Bhup Singh, the father of the petitioner, is also listed for hearing. In the affidavit, the deponent has sworn as follows:

“1. That the deponent is the father of the petitioner, who has filed the petition for correction in father's name in the matriculation certificate and other records maintained by the respondents as inadvertently in his

documents father's name mentioned as Bhoop Singh instead of Bhup Singh. All my records including matriculation certificate, Aadhar Card, Driving Licence, Identity Card issued by Punjab & Haryana High Court and other academic record, the name of deponent is mentioned as Bhup Singh, but inadvertently in the school records, matriculation certificate and other records maintained by the respondents the name of the deponent mentioned as Bhoop Singh instead of Bhup Singh and if the same is not correct it would create further complications and impediment in way of my son. Bhoop Singh and Bhup Singh is one and the same person.

2. That the deponent has incurred no disability or criminal liability of any sort under the name of Bhoop Singh son of Ram Kumar. The deponent has never applied for any Passport/Visa etc. and his name was never rejected by any such authority. Neither the deponent has any criminal case pending or decided against him. No FIR is registered against the deponent and he never indulged in such like activity. He is also not facing any Departmental proceedings/enquiry etc. in his Government service. The deponent is employee of this Hon'ble Court and doing his service with unblemish record. The deponent is not correcting the name to suppress any material facts or with malafide intention to take undue advantage anywhere. The mistake is

bonafide and the same is necessary to correct to avoid further complications.”

3. In support of his case, the petitioner has also annexed copy of matriculation examination certificate of his father, copy of Identity Card issued by the Punjab & Haryana High Court, Chandigarh, copy of Aadhar Card, Copy of Driving Licence and Copy of Senior Secondary School Examination (Annex P-3 colly) of his father.

4. In view of the contents of the affidavit reproduced above as well as the documents annexed with the writ petition, the learned counsel for the respondents states that CBSE has no objection to carry out the necessary correction, as now CBSE is rendered safe. The affidavit is made part of this order.

5. Accordingly, this petition as well as the application for placing on record the affidavit are allowed. The respondents are directed to make necessary corrections in their record and issue fresh certificate/s to the petitioner after incorporating the correct spelling of his father's name within seven days on return of the old original certificates.

6. The CBSE while issuing fresh/corrected educational certificate will record in the certificates that ‘the correction in respect of father's name is as per the orders of the Punjab & Haryana High Court in CWP No.19373 of 2017’.

24.9.2018
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No