

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 17.09.2018****CWP No.21679 of 2017 (O&M)**

Shubham Bansal [minor through his father Pankaj Bansal] ...Petitioner

Vs.

Central Board of Secondary Education & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Suman Jain, Advocate, for the petitioner.

Mr. Aseem Aggarwal, Advocate, for the respondents.

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 setting aside the order dated 12.07.2017 (Annex P-1), whereby his request for correction/change of his father's name in the certificates issued for Secondary School Examination (Annex P-5) and Senior School Examination (Annex P-6) has been declined. He also prays for a writ of mandamus directing the respondents to make necessary correction in the name of petitioner's father from 'Shanker Bansal' to 'Pankaj Bansal'.

2. Today, CM No.13893 of 2018 for placing on record affidavit of Pankaj Bansal, the father of the petitioner, is also listed for hearing. In the affidavit, the deponent has sworn as follows:

"1. That the deponent Pankaj Bansal is father of petitioner Shubham Bansal.

2. That Pankaj Bansal and Shankar Bansal is one and same person.
3. That the deponent has never taken benefits of this name nor have ever been deported, refused visa or convicted in any offence of any nature and no criminal proceedings have ever been initiated and nor incurred any disqualification in either of the name.
4. That the son of the deponent namely Shubham Bansal has never taken any undue advantage or benefit of the either of the names of the deponent. In case, the necessary correction in the certificate of class 10th and 12th is not allowed, it will create difficulty and harassment to the son of the deponent for all times to come throughout of his life.”

3. To support his case, the petitioner has also annexed Birth Certificate (Annex P-2), Aadhar card (Annex P-3) and his father's Aadhar Card (Annex P-4).

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.

5. Accordingly, while setting aside the impugned order dated 12.07.2017, this petition as well as the application for placing on record the affidavit are allowed. The respondent-CBSE is directed to issue fresh certificates in respect of Secondary School Examination (10th) and Senior School Examination (10+2) to the petitioner after incorporating his father's true and correct name within seven days on return of the old original certificates.

7. The CBSE while issuing fresh/corrected educational certificates 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.21679 of 2017’.

17.09.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>