

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 17.09.2018****CWP No.3834 of 2016 (O&M)**

Ishani Jhamb

...Petitioner

Vs.

Central Board of Secondary Education & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. Ramesh Sharma, Advocate,
for the petitioner.Mr. Aseem Aggarwal, Advocate,
for the respondents.**RAJIV NARAIN RAINA, J. (ORAL)**

1. The petitioner has approached this Court for a direction to the Central Board of Secondary Education (CBSE) to add her parents' surname i.e. 'Jhamb' to her name in the certificates issued in respect of Secondary School Examination (10th) and Senior School Examination (10+2) to read as 'Ishani Jhamb' instead of just 'Ishani'.

2. Today, CM No.13784 of 2018 for placing on record affidavit of Bhupinder Kumar son of Sahib Ram, the father of the petitioner, is also listed for hearing. Apart from explaining the inability of the petitioner to file her own affidavit, the deponent has sworn and deposed in the affidavit as follows:

"1. That the deponent is father of Ishani and Ishani has filed a Civil Writ Petition 3834 of 2016 before the

Hon'ble High Court Chandigarh in the nature of mandamus seeking direction to the Central Board of Secondary Education to add her surname in matriculation and 12th class examination certificates issued by the CBSE and thereafter issue certificates.

2. That the deponent submits that while getting the passport, the daughter of the deponent wrote her name as Ishani Jhamb instead of Ishani and in fact, in the educational qualification certificates, name of daughter of the deponent is Ishani and therefore direction is required to be given to the CBSE to add surname of the daughter of the deponent i.e. Jhamb (Ishani Jhamb).
3. That the daughter of the deponent has also published in the newspaper regarding adding her surname. The daughter of the deponent also published in the Gazette notification issued by the Chandigarh Administration. These facts have been mentioned in the civil writ petition by the daughter of the deponent.
4. That the daughter of the deponent has incurred no disability or criminal liability of any sort under the name of Ishani d/o Bhupinder Kumar and did not commit any criminal act in the name of Ishani. Neither any criminal case is pending or decided against the daughter of the deponent. No FIR has been registered against the daughter of the deponent in the name of Ishani. There are no civil and criminal liabilities in the past in the name of Ishani and the daughter of the deponent never indulged in such illegal activities. The deponent is not facing any inquiry or otherwise from any competent authority in the name of Ishani.
5. That the name of daughter of the deponent has been mentioned in the passport as Ishani Jhamb. The daughter of the deponent has also issued a declaration that her name may be changed from Ishani to Ishani Jhamb and this has appeared in the gazette notification

dated 07.03.2015 attached as Annexure P-5 in the Civil Writ Petition filed by the deponent.

6. That the deponent is filing this affidavit because the petitioner Ishani is doing M.D. in USA and unable to come to Chandigarh before 15.09.2018.”

3. To support her case, the petitioner also annexed copy of passport (Annex P-4) and Gazette Notification (Annex P-5).

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 and harmless in view of depositions in the affidavit.

5. Accordingly, this petition as well as the application for placing on record the affidavit is 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 her surname Jhamb within seven days on return of the old original certificates.

6. The CBSE while issuing fresh/corrected educational certificates will record in the certificates that *‘the correction in respect of adding of surname is as per orders of the Punjab & Haryana High Court in CWP No.3834 of 2016’*.

17.09.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

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