

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25885 of 2017(O&M)

Date of Decision:24.9.2018

Jaskirat Kaur and others

... Petitioners

Versus

Union of India and others

... Respondents

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

Present: Mr.Harkirat Singh Sandhu, Advocate for the petitioners

Mr.Kannan Malik, Advocate for respondent no.1

Mr.Aseem Aggarwal and

Mr.Manoj Kumar Sharma, Advocate for respondents-CBSE

...

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 11.8.2017 (Annex P-6), whereby the request of petitioner no.1 for correction of names of her parents has been rejected. The petitioners also seeks issuance of directions to the respondents for correcting the names of their father and mother from "Lal Singh" and "Santosh Kaur" to "Lal Chand" and "Santosh Kumari" in their certificates of 10th Class and 10+2 Class.

2. Two affidavits dated 12.9.2018, one sworn by mother Santosh Kumari and the other sworn by father Lal Chand have been filed in Court today which are taken on record. In the affidavit, the deponent Santosh Kumari has sworn as follows:-

"1.That Santosh Kumari and Santosh Kaur is same person.

2.That there is no criminal case or enquiry of any sort pending against the deponent.

3.That the deponent has not taken any benefit (sic..`benefit`) and further undertakes not to take any benefit of the change.”

3. In the other affidavit, the deponent- Lal Chand has sworn as follows:-

1.That Lal Chand and Lal Singh is same person.

2.That there is no criminal case or enquiry of any sort pending against the deponent.

3.That the deponent has not taken any benefit (sic..`benefit`) and further undertakes not to take any benefit of the change.”

4. In support of their case, the petitioners have annexed copies of Aadhar Cards and Passport. The changed names have been notified in the Gazette of India dated 16th September, 2017, Part IV at page 1669. The said gazette notification filed in Court today is taken on record as Mark “A”.

5. 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 corrections, as now CBSE is rendered safe. The affidavit is made part of this order.

6. Accordingly, this petition is allowed. The respondents are directed to make necessary corrections in their record and issue fresh certificate/s to the petitioners after incorporating the names of their father and mother within seven days on return of the old original certificates.

7. The CBSE while issuing fresh/corrected educational certificate/s will record in the certificates that ‘the correction in respect of father’s and mother’s name is as per the orders of the Punjab & Haryana High Court in CWP No.25885 of 2017’.

24.9.2018
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No