

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.25600 OF 2018

DATE OF DECISION: NOVEMBER 22, 2018

Kartik Saini

.....Petitioner

Versus

Union of India and others

.....Respondents

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

Present: Mr.Harish Sharma, Advocate for the petitioner.

<><><>

TEJINDER SINGH DHINDSA, J.

Petitioner, Kartik Saini while studying in Lotus International School, Dinanagar, District Gurdaspur/respondent No.3 appeared in the matriculation examination conducted under the aegis of Central Board of Secondary Education, New Delhi in the year 2017 under Roll No.2194824. In the matriculation certificate issued by the Central Board of Secondary Education, name of the father of the petitioner has been mentioned as Rajesh Kumar Saini.

Instant writ petition has been filed seeking issuance of directions to the respondent-Authorities to make necessary correction in the certificate pertaining to matriculation examination, Annexure P1, and by reading the name of the father of the petitioner as Rajesh Kumar Kala instead of Rajesh Kumar Saini.

Learned counsel submits that father of the petitioner is

an ex-serviceman having served the Indian Air Force and in his Service Discharge Book, Pension Payment Order, Adhar Card as also other documents, name is mentioned as Rajesh Kumar Kala. Further urged that for claiming benefits being ward of an ex-serviceman while seeking admission to various educational courses, petitioner would be seriously prejudiced if the correction prayed for is not allowed. It is brought to the notice of this Court that an application dated 29.8.2018, Annexure P10, has even been made to the Regional Office, CBSE, Panchkula (Haryana) seeking the necessary correction, but the same has not been responded to till date. It is the contention raised by learned counsel that the correction prayed for would be covered under the relevant Examination Bye Laws framed by the Central Board of Secondary Education.

Learned counsel further submits that in pursuance to the order dated 5.10.2018 passed by this Court, the requisite affidavit has also been filed and placed on record and wherein it has been specifically deposed that father of the petitioner has not incurred any civil or criminal liability under the name of Rajesh Kumar Saini.

Learned counsel prays that he would be satisfied if the instant petition is disposed of at this stage with a direction to the respondent-Authorities to consider the request for correction of the name of the father of the petitioner within a time bound frame.

Prayer of the learned counsel is found to be just and reasonable.

Accordingly, without even ascertaining the correctness of the averments made in the petition and without going into the merits of the case, instant petition is disposed of with a direction to respondent No.2 i.e. the Joint Secretary, Central Board of Secondary Education, Regional Officer, Panchkula/competent authority to examine the application dated 29.8.2018, Annexure P10, i.e. stated to have already been submitted and to decide in accordance with law and as per relevant applicable rules/instructions issued by the CBSE and to convey the final decision to the petitioner within a period of two weeks from the date of receipt of a certified copy of this order.

Petition disposed of.

NOVEMBER 22, 2018
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

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