

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.27355 OF 2018

DATE OF DECISION: DECEMBER 10, 2018

Ms.Madhavi Mehta

.....Petitioner

Versus

Central Board of Secondary Education and another

.....Respondents

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

Present: Mr.Arvind Kashyap, Advocate for the petitioner.

Mr.Aseem Aggarwal, Advocate for
Mr.Harsh Aggarwal, Advocate for CBSE.

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TEJINDER SINGH DHINDSA, J.

Petitioner has filed the instant writ petition challenging order dated 27.8.2018, Annexure P9, passed by the Central Board of Secondary Education and whereby a request for correction in mother's name from Rajnish Prabha to Rajnesh Prabha in the matriculation certificate has been declined.

Notice of motion was issued in the instant writ petition.

Mr.Aseem Aggarwal, Advocate has put in appearance on behalf of the contesting respondent-Board.

The instant writ petition is being disposed of without seeking a written statement to be filed and with the consent of the learned counsel for the parties.

Perusal of the impugned order dated 27.8.2018, Annexure P9, reveals the basis of rejection of the prayer of the petitioner i.e. "in the instant case the school record does not support the desired correction prayed for".

Placed on record at Annexure P10 is the relevant extract of the admission and withdrawal register of the school in question i.e. the Rainbow International School, Nagrota Bagwan, Kangra (HP) and which clearly indicates that the school records has since been updated and the name of mother of the petitioner has been mentioned as Rajnesh Prabha. Learned counsel has also adverted to documents placed on record and appended as Annexures P3, P4 and P5 and which reflect name of the mother of the petitioner as Rajnesh Prabha in the matriculation certificate issued by the Himachal Pradesh Board of School Education (April 1987), the Adhar Card issued by the Government of India as also the PAN card issued by the Income Tax Department, Government of India.

In view of the necessary correction having already been carried out by the school and the school record having been updated, Annexure P10, as also other supporting documents at Annexures P3, P4 and P5, it will be imperative for respondent-CBSE to re-examine the prayer made by the petitioner and to pass orders afresh.

In view of the above, order dated 27.8.2018, Annexure P9, is set aside. Matter is remanded back to respondent No.1 for passing orders afresh on the request of the petitioner seeking correction in the matriculation certificate as regards name of her

mother from Rajnish Prabha to Rajnesh Prabha on the strength of documents at Annexures P3, P4 and P5 as also the updated school record Annexure P10.

The exercise of consideration afresh be completed within a period of four weeks from the date of receipt of a certified copy of this order.

It is, however, clarified that it would be open for the respondent-CBSE to put the petitioner to strict proof as regards authenticity of the documents afore-noticed.

Petition disposed of.

DECEMBER 10, 2018
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

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