

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 04.10.2018****CWP No.9100 of 2016**

Sumeer Trikha

...Petitioner

Vs.

Central Board of Secondary Education & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

Mr. N.K.Setia, Advocate, for respondents No.1 & 2.

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 11.03.2016 (Annex P-8), whereby his request for correction of his mother's name in the certificate/s issued for Secondary School Examination (10th) and Senior Secondary School Examination (10+2) has been declined. He also prays for a writ of mandamus directing the respondents to make necessary correction in respect of his mother's name i.e. from 'Pankaj Trikha' to 'Pankaj Sharma'.

2. Today Mr. Neeraj Sharma, learned counsel for the petitioner, has produced an affidavit of the petitioner, which is taken on record. A copy of the affidavit is handed over to Mr. Setia in the Court itself. In the affidavit, the petitioner has sworn as follows:

“3. That the deponent submits that no FIR or criminal case was ever registered or is pending against her mother i.e. Smt. Pankaj Sharma either in the name of Pankaj

Sharma or in the name of Pankaj Trikha wife of Sh. Ravi Kant Trikha.

4. That the deponent further submits that no FIR or criminal case was ever registered or is pending against him in the capacity of Sumeer Trikha son of Smt. Pankaj Sharma or Pankaj Trikha wife of Sh. Ravi Kant Trikha.
5. That the deponent seeks the corrections in the surname of his mother, since he wishes to travel abroad to carry on further studies and for other administrative formalities.”

3. In support of his case, the petitioner has also annexed copy of Birth Certificate issued by the Registrar, Births & Death, Municipal Council, Nanga.

4. In view of the contents of the affidavit reproduced above as well as the document 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, this petition is allowed and the order dated 11.03.2016 is set aside. The respondents are directed to make necessary corrections in their record and issue fresh certificate/s to the petitioner after incorporating the correct mother's name within seven days on return of the old original certificates.

6. The CBSE while issuing fresh/corrected educational certificate/s will record in the certificates that *'the correction in respect of mother's name is as per the orders of the Punjab & Haryana High Court in CWP No.9100 of 2016'*.

04.10.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No