

LPA no.344 of 2017 (O&M) 1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**LPA no.344 of 2017 (O&M)
Date of Decision : 13.11.2018**

Lamaira Rajput @ Pooja

....Appellant(s)

Versus

Central Board of Secondary Education and another

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE ARUN MONGA**

Present : Mr.A.D.S.Jattana, Advocate for the appellant(s)

Mr. Nitin Kant Setia, Advocate for CBSE

MAHESH GROVER, J.(ORAL)

CM No.4434-LPA-2018

Allowed as prayed for.

Main case

The instant appeal is directed against the judgment of the learned Single Judge declining interference in the proceedings where the appellant had prayed that she be permitted to change her name after the declaration of the result of 10th and +2 classes.

The respondents relied on **Rule 69.1 of the Examination Bye-Laws Relating to Correction & Change in Name and Period for Correction in Date of Birth**, extracted herebelow to contend that it was impermissible:-

“Applications regarding changes in the name
or surname of candidates may be considered, provided

the changes have been admitted by the Court of law and notified in the Government Gazette before the publication of the result of the candidate.”

Learned Single Judge accepted the contention of the respondents to pass the impugned order which is now cause of grievance to the appellant who contends that the impugned judgment is unsustainable.

During the course of hearing of the present appeal the respondents on instructions stated that if an undertaking is furnished to them as also before this Court that she has not incurred any liability civil or criminal they can still consider her prayer for change of name.

Pursuant to the said order passed by this Court on 8.10.2018 recording the concession of the respondents, the appellant had now filed an affidavit dated 15.10.2018 wherein from paras 3 to 6, she has addressed the concerns raised by the respondents as noticed in our order dated 8.10.2018. We are thus of the opinion that in view of the stand of the respondents and the affidavit furnished by the appellant, there will be no necessity for us to go into the merits of the controversy. The appeal is disposed of with direction to the respondents to permit the appellant to change her name in view of the undertaking furnished by her.

Disposed of in above terms.

(Mahesh Grover)
Judge

13.11.2018
rekha

(Arun Monga)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No