

#68

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 29.08.2018

W.P.(C) 1892/2018

JYOTIKA MAHAJAN

..... Petitioner

versus

**CENTRAL BOARD OF SECONDARY EDUCATION
& ORS**

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Sanjay M. Tripathi and Ms. Anu Gupta, Advocates
For the Respondents : Mr. Atul Kumar, Advocate for R-1 & R-2
Mr. S.S. Tripathi, PGT (Mathematics) for R-3

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

1. The present writ petition under Article 226 of the Constitution of India has been instituted praying as follows:-

- “a) Issue writ, order or direction in the nature of certiorari to quash the decision of respondent No.1 communicated by the respondent No.2 vide letter dated 03.10.2017 and 03.01.2018 bearing No.A-1-821/2015; and/or
- b) Pass such other order or orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

2. This petition has been instituted on behalf of a widow lady, predicated on the circumstance that, while filling the application form for admission in an under graduate course for her son, namely, Master Keshav Mahajan, she noticed that the educational certificates issued to the latter, mentioned her as ‘Jyotika’, without adding the surname ‘Mahajan’.

3. The petitioner approached the respondent school, requesting that the said certificates be corrected and her surname ‘Mahajan’ may be added to her name ‘Jyotika’ therein.

4. The respondent school forwarded all the relevant record, reflecting the petitioner’s name as ‘Jyotika Mahajan’ therein, to the Central Board of Secondary Education (for short ‘CBSE’).

5. The request was rejected by the CBSE, in view of the mandate of Rule 69(1) of the Examination Bye-Laws relating to the correction of change of name or surname.

6. The petitioner has impugned the said action of the CBSE in rejecting her application seeking addition of her surname in the certificates of her son.
7. Having heard learned counsel appearing on behalf of the parties and perused the material on record, it is evident that, the name of the petitioner was clearly mentioned as 'Jyotika Mahajan' in the admission form filed with the respondent school at the time of the latter's admission. It is further observed that, the admission form clearly stated the name of the petitioner's husband as 'Late Sh. Arvind Mahajan'. Further, a perusal of the annexures to the present petition leaves no manner of doubt that, in all the documents maintained by the respondent school, the petitioner's name has been shown as 'Jyotika Mahajan'.
8. In view of the foregoing discussion, I am of the considered view that the present petition deserves to be allowed.
9. Resultantly, the present petition is allowed, directing the CBSE to add the surname 'Mahajan' as a suffix to the name of 'Jyotika' in the corresponding column relating to 'mother' in all the certificates and mark sheets of class 10th and 12th, issued to her son, Master Keshav Mahajan by CBSE.
10. The petitioner is, however, directed to surrender the original

certificates and mark sheets to the CBSE in order to enable the latter to carry out the above corrections.

11. With the above directions, the writ petition is allowed and disposed of accordingly.

**SIDDHARTH MRIDUL
(JUDGE)**

AUGUST 29, 2018

dn



सत्यमेव जयते