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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 19.07.2018

W.P.(C) 4516/2018

SUSHAMA

.... Petitioner

versus

CENTRAL BOARD OF SECONDARY EDUCATION Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. D.V. Khatri, Advocate

For the Respondent : Mr. Amit Bansal and Ms. Seema Dolo, Advocates

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

C.M. No.17346/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 4516/2018

1. The present petition instituted on behalf of the petitioner under Article 226 of the Constitution of India seeks issuance of a writ of mandamus directing the respondent to make necessary correction in Central

Teacher Eligibility Test (for short 'CTET') Eligibility Certificate vide reference No.10876 dated 07.11.2016, issued in the name of petitioner, to the effect that her father's name, namely, Sh. Ajit Singh may be mentioned in the column of father's name and her mother's name, namely, Smt. Suman Devi be mentioned in the column of mother's name, instead of vice-versa, as mentioned in the said certificate.

2. It is the case of the petitioner that she is a duly qualified diploma holder in education from Board of School Education, Haryana.
3. It is further an admitted position that, on the strength of the aforesaid qualifications, the petitioner appeared in CTET examination held on 18.09.2016 and was declared qualified in the said examination on 07.11.2016.
4. At the time of filling the form for the post of Primary Teacher on 11.08.2017 in the Delhi Subordinate Service Selection Board, it came to the notice of the petitioner that the certificate issued by the Central Board of Secondary Education (hereinafter referred to as 'CBSE'), had wrongly mentioned her father's name, namely, Sh. Ajit Singh against the column of her mother's name i.e. Smt. Suman Devi and vice-versa.
5. Immediately upon discovery of the above-mentioned mistake, the petitioner, *inter alia*, applied to the CBSE to correct the CTET certificate and reflect the name of her father in the requisite column as

Sh. Ajit Singh and that of her mother in the column provided for the said purpose as Smt. Suman Devi, respectively.

6. It is the case of the petitioner that despite having requested for such a change, the same has not been acceded to and that the mistake that existed in the original certificate persists even in the duplicate certificate, issued in this behalf.
7. Learned counsel appearing on behalf of the petitioner would state that, the mistake which may have been occasioned by an inadvertent error on their part, or on the part of the respondent nevertheless, is a genuine one and the certificates as annexed to the present petition, issued by other statutory authorities would demonstrate that the name of the petitioner's father as Sh. Ajit Singh and that of her mother's as Smt. Suman Devi.
8. Mr. Amit Bansal, learned counsel appearing on behalf of the CBSE does not refute the assertion that, the mistake is a genuine one and may have been occasioned by an inadvertent error on the part of the petitioner.
9. However, this Court's attention has been invited to the Clause 15.1 of the Appendix IV of the Bulletin of Information issued for the CTET, 2016, wherein it is provided that request for change/correction in any particulars, in the confirmation page, shall not be entertained under any circumstances except, during the period permitted to make online correction. The Board will further, not be responsible for any consequences arising out of non-acceptance of any

correction/addition/deletion in any particular, once filled in the application form, whatsoever the reasons may be.

10. Learned counsel appearing for the CBSE further urges that, since the change as prayed for, by the petitioner, was not sought during the time stipulated therein, the same cannot now be done.
11. In this behalf, it is observed that the correction of genuine mistakes, which are occasioned by inadvertence on the part of the parties cannot disentitle the affected party from seeking a correction if they are disadvantaged thereby.
12. In this behalf, it is observed that the petitioner does not seek any addition, alteration, deletion or substitution of any particulars in the CTET Eligibility Certificate, contrary to the certificates issued hitherto by other statutory bodies but seeks correction in the CTET Eligibility Certificate, only to the extent that they are in consonance with the details already specified in the record of the certificates previously issued.
13. In this view of the matter, the writ petition is allowed.
14. The present petition is disposed of with a direction to the CBSE to make the required correction and reflect the petitioner's father's name, namely, Sh. Ajit Singh in the column of father's name and her mother's name, namely, Smt. Suman Devi in the column of mother's name, respectively, in the CTET Eligibility Certificate.

15. The petitioner is, however, directed to surrender the original CTET Eligibility Certificate to the CBSE to enable the latter to carry out the above corrections.

16. With the above directions, the writ petition is disposed of.

JULY 19, 2018
as

SIDDHARTH MRIDUL
(JUDGE)



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