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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7733/2016

JITENDER KUMAR Petitioner
Through Mr.Sanad Kumar Jha, Adv.

versus

CENTRAL BOARD OF SECONDARY EDUCATION
AND ANR Respondents
Through Mr.Ashok Kumar, Adv. for CBSE.
Mr.T. Baskar Gowthan, Adv. for R-3.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **13.03.2018**

Vide the present petition, the petitioner who was a student of Andhra Education Society Senior Secondary School, Deen Dayal Upadhaya Marg, New Delhi/respondent no.3, has approached this Court seeking a direction to the respondent no.1, to rectify the spelling mistake in the name of his father in his Class X certificate issued by respondent no.1. Learned counsel for the petitioner points out that though the name of the petitioner's father is Shri Kailash Chand, it appears that due to a typing mistake, the name of his father has been erroneously recorded as 'Shri Kaliash Chand' in the Class X certificate issued to him in May 2013. He further submits that the said error was duly rectified in his Class XI and Class XII certificates.

Notice of this petition was issued on 2nd September, 2016. Despite repeated opportunities, none of the respondents have filed any

counter affidavit.

Learned counsels for the parties have been heard at some length. The learned counsel for the respondents do not dispute the fact that there has been a typographical mistake in the name of the petitioner's father in Class IX & X certificates. In fact, learned counsel for the respondent no.3/School fairly submits that there has been an inadvertent typographical mistake in the name of the petitioner's father on the part of respondent No.3-school. In view of the categorical admission on the part of respondent no.3 that there was a typographical mistake on their part, the respondent no.1 cannot dispute the position that the said error is only a typographical mistake. Mr.Ashok Kumar, learned counsel for respondent no.1, fairly submits that for correction of such typing mistakes, a period of five years is prescribed under Regulation 69.1 of the CBSE By-laws.

In view of the admitted position, that the mistake of which the petitioner seeks correction had occurred in May, 2013 and the application or correction thereof was made in 2015 i.e. within a period of 2 years, the petition is entitled to succeed. In order to facilitate issuance of a fresh corrected certificate, the petitioner is directed to visit the office of respondent no.1 at Patparganj, Delhi on any working day within one week from today, when the respondent no.1 will inform him about the necessary formalities which the petitioner has to fulfil. Subject to the petitioner fulfilling the requisite formalities required to be fulfilled by him within four weeks, the respondent no.1 is directed to issue a fresh class X certificate to the petitioner. The respondent no.1 shall carry out the needful correction

within six weeks, thereafter and issue a fresh corrected class X certificate to the petitioner or his authorised representative.

The writ petition is disposed of in the above terms with no order as to costs.

MARCH 13, 2018/aa

REKHA PALLI, J