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

Date of decision: 30th November, 2018

+ W.P.(C) 11225/2017

RAVI PARKASH

..... Petitioner

Through: Mr.Himanshu Kaushik and
Mr. Manjeet Singh, Mr.Bal
Kishan, Advs.

versus

**CENTRAL BOARD OF SECONDARY EDUCATION (CBSE)
& ORS**

..... Respondents

Through: Mr. Ashok Kumar, Adv. for
R-1
Ms. Sangita Rai and Ms.
Kumud Ray, Advs.for R-2
Ms. Sunaina Sharma, OSD(L)
Zone ZZ,DOE

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

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30.11.2018

1. The petitioner appeared in the Class 10th Examination, through his school i.e. Government Boys Senior Secondary School, Kera, Najafgarh in 2007 and appeared in his class 12th Examination in 2009. His name was reflected to the mark statement issued by the CBSE on both occasion as 'Ruby Prakash'.

2. Subsequently, the petitioner changed his name from 'Ruby Prakash' to 'Ravi Prakash' and had published notice to the said effect,

in the daily newspaper on 3rd September, 2016. He also got the said change published in the official gazette *vide* a notification dated 14th January, 2017.

3. The petitioner, thereafter, approached the school authorities, to have his name, in the class 10th and class 12th certificates issued by the CBSE from 'Ruby Prakash' to 'Ravi Prakash'.

4. Bye-law 69.1(i) of the Bye-Laws of the CBSE, which governed change of name of candidates, reads thus :

“69.1 (i)

" Section-III Rule regarding change in Name or surname of a Candidate : Applications regarding changes in names or surnames of candidates may be granted provided the changes have been admitted by the Court of law and notified in the **Government Gazette before the publication of the results of the Candidates**".

5. The stipulation in the above provision has been held, by this Court to be mandatory, in all cases of change of name, except where the change is in the nature of spelling error or typographical mistakes, in which case the change is to be treated as a 'correction'. In the present case, admittedly, the request of the petitioner was for a wholesale change of name from 'Ruby Prakash' to 'Ravi Prakash'.

6. It is an admitted position that the change of name, of the petitioner, was notified in the gazette much after the publication of his results, by the CBSE and not prior thereto.

7. The above provisions have been held to be mandatory, by a learned Single Judge of this Court, in *Mazhar Saleem Chandroth (Minor) v. Central Board of Secondary Education, 2017 SCC OnLine Del 7825* which has been upheld by the Division Bench, in *Mazhar Saleem Chandroth (Minor) v. Central Board of Secondary Education, 2018 SCC OnLine Del 8401*.

8. The request of the petitioner, for change of name cannot, therefore, be allowed, given the position as it exists in the extant guidelines.

9. The writ petition is therefore dismissed with no orders as to costs.

C. HARI SHANKAR, J

NOVEMBER 30, 2018/kr