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

+ **W.P.(C) 5112/2018 &C.M. Nos.19761-62/2018**

AZAD SINGH

..... Petitioner

Through: Mr.Santosh Kumar Suman, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr.P.S. Singh with Mr.Vikrant Nilesh
Goyal, Advs. for R-1.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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14.05.2018

Vide the present petition, the petitioner has sought a direction to respondent Nos.2 and 3 to change the name of his mother in the documents issued to him by respondent Nos.2 and 3.

Learned counsel for the petitioner submits that the petitioner had participated in the examination conducted by respondent No.2/National Institute of Open Schooling (NIOS) in the year 2008 and in the certificates issued to him on 11.12.2008 by the respondents, his mother's name is incorrectly reflected as 'Kanta Devi'. He submits that the name of the petitioner's mother is 'Chaman Devi' and, in this regard relies on the Aadhar Card of one lady 'Chaman Devi' to contend that the petitioner's mother is actually 'Chaman Devi'.

Learned counsel for the petitioner submits that, since the name

of the petitioner's mother has been wrongly recorded in the marksheet and the provisional certificate of the Secondary School Examination as also the migration certificate issued to him by the respondents on 11.12.2008, he had served the respondents with a legal notice dated 24.06.2017 asking them to change the petitioner's mother's name as reflected in the said documents from 'Kanta Devi' to 'Chaman Devi'. However, while the respondents did not respond to the petitioner's abovementioned legal notice, vide their letter dated 17.07.2017 they had rejected the petitioner's aforesaid request on the ground that, as per NIOS norms, the admission of a learner is valid for a period of 5 years from his/her registration and, thus, the application for correction in the name of the candidate/father/mother can be considered only within a period of 3 years from the date of registration for admission but prior to appearing in the first examination.

I have heard the learned counsel for the petitioner and have perused the record. In my considered view, even if this Court were to condone the petitioner's delay in seeking a change in his mother's name in the aforesaid documents issued by the respondents, there is nothing on record to show that the petitioner's mother's name is, in fact, 'Chaman Devi'. While, the learned counsel for the petitioner has produced some identification documents of one Smt. Chaman Devi, there is nothing to show that she is petitioner's mother or that she is the same person whose name was allegedly incorrectly reflected as 'Kanta Devi' in the aforementioned documents issued by the respondents to the petitioner. Therefore, in my considered opinion, the respondents, on the basis of the documents produced by the

petitioner, rightly declined his request for changing his mother's name in the marksheet, provisional certificate and migration certificate issued by them.

For the aforementioned reasons, I find no merit in the present petition and the same is hereby dismissed. The pending applications also stand disposed of.

REKHA PALLI, J

MAY 14, 2018
gm