

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11320 of 2019

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Bimal Chandra Jha Son of Sri Madhusudan Jha Resident of Mohalla-
Ramjanaki NagarnSapta, Police Station-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

1. The Central Board of Secondary Education an Autonomous Organization Under the Union Minister of Human Resources Department Government of India through its Secretary Having Office at Siksha Kendra, 2 Community Centre, Preet Viuhar, Police Station-Preet Vihar, New Delhi.
2. The Secretary, Central Board of Secondary Education an Autonomous Organization Under the Union Minister of Human Resources Department Government of India having office at Siksha Kendra, 2 Community Centre, Preet Vihar, Police Station-Preet Vihar, Delhi.
3. The Regional Director, Central Board of Secondary Education, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Karna
For the Respondent/s : Mr.Vinoy Tripathi

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-06-2019 The present writ petition has been filed for directing the Central Board of Secondary Education, New Delhi (hereinafter referred to as the 'CBSE') to change the name of the son of the petitioner, namely, Navneet by adding surname i.e. "***Jha***".

2. The learned counsel for the petitioner has submitted that the petitioner has passed the Class 10th and 12th examination from the CBSE Board, however, upon a request made by the petitioner to the CBSE for adding surname 'Jha' to the name of his son, namely, Navneet, the said prayer of the petitioner has



been rejected by the CBSE inasmuch as by-laws of the CBSE does not permit the same.

3. The learned counsel for the petitioner has referred to various judgments passed by coordinate Benches of this Court i.e. the one dated 18.2.2016 passed in C.W.J.C. No. 1592 of 2016 (***Priyansh vs. The Chairman & Ors.***), the one dated 7.12.2017 passed in C.W.J.C. No. 17429 of 2017 (***Shreya vs. Central Board of Secondary Education, New Delhi & Ors.***) and the one dated 29.8.2018 passed in C.W.J.C. No. 14351 of 2018 (***Abhishek Akshat @ Abhishek vs. The Central Board of Secondary Education & Ors.***)

4. At this juncture, it would be relevant to reproduce paragraph nos. 3 to 7 of the leading judgment rendered by the coordinate Bench of this Court in the case of ***Priyansh*** (supra):-

“3. The Court does appreciate that the father or the mother of the present petitioner did not want his son to carry any tag of any caste by adding a surname to his name, little realizing what awaited his son in matters of future prospects and participation in diverse competitive examinations.

4. Petitioner, therefore, wants a direction upon the Central Board of Secondary Education to correct his name by adding 'Ranjan' to the name 'Priyansh' so that the problem faced by him in online registration is overcome.

5. The respondents Central Board of Secondary Education, hiding behind the provisions and the regulation, has taken a plea that it is not a case of correction in the name or surname of the



petitioner, but a case of addition to the name of the petitioner. Obviously, such kind of problem expressed by the petitioner has either not been brought to the notice of the Central Board of Secondary Education or they could never foresee or envisage that technology could create problem for certain candidates, like, the present petitioner. Regulation 69.1, only talks of correction in the name or surname. The Court, therefore, does direct the Central Board of Secondary Education that in cases where any candidate has only a single name which has been provided by a candidate and registered in the records of Central Board of Secondary Education, will be given an opportunity to add a second name or a surname limited with the object to ensure that their online registration does not get rejected by solo name which they have carried with them in the matriculation or +2 examination.

6. Further keeping in mind that in the present case, the petitioner has certain deadline to achieve and cut off dates are in play for such registration, the Court directs addition of the name 'Ranjan' which the petitioner has requested and demanded to his name 'Priyansh'.

7. Writ application is allowed with the above direction. The direction must be carried out within a period of four weeks, if not earlier, from today. It is hoped and expected that the Chairman of the Central Board of Secondary Education will also make corresponding provision in the Regulation in anticipation of such problems which other candidates may raise in future.”

5. The learned counsel appearing for the C.B.S.E. does not dispute the position existing as in law.

6. Having regard to the facts and circumstances of the case, the present writ petition is allowed and the respondent-C.B.S.E. is directed to add the surname 'Jha' to the name of the son of the



petitioner i.e. Navneet and issue fresh certificates pertaining to Class 10th and 12th.

7. It is further directed that the entire exercise should be carried out within a period of eight weeks from today.

8. The writ petition stands allowed.

(Mohit Kumar Shah, J)

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