

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

112+309

CM Nos.12669-70-CWP of 2019 in/and  
CWP No.9795 of 2019

Date of Decision : 03.09.2019

Ajaypal Singh

....Petitioner

v/s

Central Board of Secondary Education, Sector 5,  
Panchkula and others.

....Respondents

**Coram : Hon'ble Mr. Justice B.S. Walia**

Present: Mr. Aman Bahri, Advocate for the petitioner.  
Mr. Aseem Aggarwal, Advocate for respondent Nos.1.  
Mr. Arun Kaundal, DAG, Punjab for respondent No.4.

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**B.S. Walia, J. (Oral)**

[1] Prayer in the writ petition is for quashing (Annexure P-5) dated 10.01.2018, whereby respondent-CBSE Board rejected the application of respondent No.2-School filed on behalf of the petitioner for correction of the petitioner's father name in the 10<sup>th</sup> Class certificate issued to the petitioner.

[2] Learned counsel for contesting respondent No.1 states that there is no material on the record to show as to who is the real father of the petitioner since the 10<sup>th</sup> Class Certificate issued by the respondent-Board, records the name of the petitioner's father as Dharminder Singh, whereas the 12<sup>th</sup> Class Certificate issued to the petitioner records his father's name as Balvir Singh.

[3] Learned counsel for respondent No.1 fairly states that the respondent-Board can take a decision for correcting the petitioner's father name on the certificate (Annexure P-2) from Dharminder Singh to Balvir Singh only if an affidavit is filed by Dharminder Singh, setting out the correct factual position qua the name of the biological father of the petitioner, giving an undertaking that

he has no objection, if the name of the biological father of the petitioner is corrected in the 10<sup>th</sup> Class Certificate, issued by the respondent-Board besides surrendering the 10<sup>th</sup> class certificate issued to the petitioner.

[4] Learned counsel for the petitioner states that the petitioner would do the needful and that in the circumstances, the writ petition be disposed of, by directing respondent No.1 to take a decision on the plea of the petitioner pursuant to completion of formalities by the petitioner as required by respondent No.1-Board and as have been referred to in the preceding part of the order.

[5] In the light of statement of counsel for the parties, the writ petition is ***disposed of***, by directing the petitioner to furnish the affidavit of Dharminder Singh, setting out the position as per details referred to above and also giving his undertaking with regard to no objection for incorporation of the name of the petitioner's biological father to read as Balvir Singh in the Class 10 Certificate. On surrendering of 10<sup>th</sup> class certificate issued to the petitioner earlier as also on furnishing of affidavit of Dharminder Singh along with undertaking, respondent No.1 would take appropriate steps to issue a fresh certificate of Class 10, reflecting the name of the petitioner's biological father, in accordance with the rules & regulations applicable, as expeditiously as possible, preferably within 04 weeks from the date of submission of affidavit, undertaking and certificate. The petitioner would also be at liberty to furnish such other documents as would assist respondent No.1 to take a decision on the claim of the petitioner.

**(B.S. Walia)**  
**Judge**

**September 03, 2019**  
**'Rajneesh'**

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|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether reportable        | : Yes/No |