

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

CWP No.17877 of 2019
Date of decision: 11.09.2019

Prince SinghPetitioner

Versus

Central Board of Secondary Education and othersRespondents

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

Present: None for the petitioner.

Mr. Naveen Chopra, Advocate for respondent No.1-CBSE.

B.S. Walia, J. (Oral)

1. None is present on behalf of the petitioner despite the case having been called out twice. In view of the nature of controversy, I have gone over the case with the assistance of learned counsel for the respondent-CBSE.

2. Reply has not been filed. However, learned counsel has not disputed that the Birth Certificate i.e. Annexure P-2 reflects the date of birth of the petitioner as 20.12.1997, date of registration of the Birth Certificate as 30.12.1997 and further that the name of the petitioner and his father is recorded therein as Prince Singh / Inderjit Singh respectively, i.e. the particulars which the petitioner prays for incorporation in the certificate Annexure P-1 by correcting the date of birth recorded in the certificate issued by the CBSE from 29.11.2002 to 20.12.1997.

3. Learned counsel for the respondent-CBSE has produced photocopy of admission form of the petitioner in Ekam Public School dated 28.08.2006 reflecting his date of birth as 29.11.1997 as well as photocopy of admission withdrawal register mentioning petitioner's father's name as Inderjit Singh. However, as noted above, learned counsel has not disputed that birth

petitioner as 20.12.1997 i.e. the date which the petitioner wants to be incorporated in certificate Annexure P/1 by correcting the date of birth as recorded in said certificate from 29.11.2002. The request of the petitioner for change of date of birth from 29.11.2002 to 20.12.1997 and of his father's name from Inderjeet Singh to Inderjit Singh was rejected solely on account of there being variation and inconsistency amongst school documents. No doubt, copy of admission form of Ekam Public School dated 28.08.2006 as produced by learned counsel for the respondent-CBSE mentions date of birth of the petitioner as 29.11.1997 and name of the petitioner's father as Inderjeet Singh but as is apparent from Annexure P/2 i.e. the Birth Certificate of the petitioner, registered on 30.12.1997, the date of birth of the petitioner is 20.12.1997 and his father's name, Inderjit Singh.

4. In view of the particulars of the petitioner as given in the Birth Certificate Annexure P/2 not having been disputed by learned counsel for the respondent-CBSE, impugned communication Annexure P/4 is set aside and respondents directed to issue certificate for Central Board of Secondary Education Examination for all India Secondary School Examination 2013-15 by reflecting the correct details of the petitioner i.e. date of birth as well as father's name as per Birth Certificate Annexure P-2 within two weeks of the petitioner surrendering the original of the certificate Annexure P-1 to the CBSE authorities.

September 11, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No