

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-20193-2018(O&M)
Date of Decision: 21.01.2019

Rahul

--Petitioner

Versus

Board of School Education, Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.S. Sandhu, Advocate for the petitioner.

Mr. Rajesh Sheoran, Advocate for respondent no.1.

Mr. Siddharth Sanwaria, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

CM-778-2019

Application is allowed as prayed for.

Written statement on behalf of respondent no.1 is taken on record. Copy already stands furnished to counsel opposite.

Main Case

Petitioner seeks a Writ of Mandamus for directing the respondent authorities to carry out a correction in the Matriculation and Middle Certificates (Annexures P-4 and P-5) with regard to father's name and for the same to be read as 'Balwinder Singh' instead of 'Balbir Singh'.

Brief facts of the case are that the petitioner passed Class 5th Examination from respondent no.4 Primary School and in the Class 5th Passed Middle, name of his father was correctly reflected as Balwinder Singh. Thereafter, petitioner took admission with the respondent no.2 Govt. Senior Secondary School, Sector 6, Panchkula. Petitioner appeared in the middle as also matriculation examination, which are conducted under the aegis of Board of School Education Haryana/respondent no.1.

In the middle as also matriculation examination name of father of petitioner stands mentioned as Balbir Singh and it is under such circumstances that the instant writ petition has been filed seeking the necessary correction.

Counsel for the parties have been heard at length and pleadings on record have been perused.

It is an intriguing case where respondent no.1-Board takes a stand that the correction sought for cannot be entertained as the school records have not been corrected/updated in terms of the correction sought. On the other hand, written statement filed by the Principal of respondent no.2 school concedes that an error was committed by the concerned class teacher while entering the particulars of the petitioner in the admission form and admission register. Such mistake is described as a clerical mistake in the written statement. Further in the written statement the school tenders an apology for the inconvenience and harassment caused to the petitioner. Be that as it may, respondent school for reasons best known to the school authorities have not till date carried out the necessary rectification pursuant to the error that concededly had been committed.

Learned counsel representing respondent no.1-Board on instructions from Mr. Har Bhagwan, Chief Accounts Officer takes a stand that in case the necessary correction with regard to father's name of the petitioner is carried out by the school authorities, the request of the petitioner would be entertained and particularly under Rule 11 of the rules governing correction in name/father's name/mother's name etc. in the middle/matriculation certificates.

In view of the above, the present petition is allowed. Respondent no.2 school is directed to carry out the necessary corrections in the school records so as name of father of petitioner be read as Balwinder Singh instead of Balbir Singh. Such correction be carried out forthwith. Thereafter, the petitioner would be at liberty to approach the respondent no.1-Board with the necessary communication issued by respondent no.2 school reflecting the corrections having been carried out. Further directions are issued to respondent no.1-Board to make the necessary corrections in the middle as also matriculation certificates of the petitioner within a period of two weeks from the date that the petitioner approaches the respondent no.1-Board.

Writ petition is allowed in the aforesaid terms.

It is, however, made clear that the instant writ petition has been allowed and directions have been issued in view of the peculiar facts and circumstances of the present case.

(TEJINDER SINGH DHINDSA)
JUDGE

21.01.2019
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No