

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

CWP No.26499 of 2019
Date of decision: 14.11.2019

Suman Kumari Yadav

....Petitioner

Versus

Central Board of Secondary Education and ors.

....Respondents

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

Present: Mr. Sunil Dua, Advocate for the petitioner.

Mr. Naveen Chopra, Advocate for respondent Nos.1 to 3/CBSE.

B.S. Walia, J. (Oral)

Prayer in the writ petition is for quashing reply Annexure P-8 dated 9.1.2019 vide which correction in the spelling of the petitioner father's name in the All India Secondary School Certificate Examination, 2003 and Marks sheet of the petitioner i.e. Annexure P-1 and P-2 was denied on the ground that the representation for correction had not been initiated within the stipulated period of time after declaration of the result.

2. The name of the petitioner's father is recorded as 'Ravindera Yadav' in the All India Secondary School Certificate Examination, 2003 Annexure P-1 and 'Ravindera Singh Yadav' in class 10 certificate.

3. Learned counsel for the petitioner contends that a perusal of the certificate Annexure P-5 as well as details of the petitioner and her father as given in Annexure P-6 issued by the Kendriya Vidyalya Sangathan, Gwalior Region as well as Mamoon Cantt. Pathankot reveals the correct name of the petitioner's father i.e. Ravindra Singh Yadav whereas the certificate issued by

the CBSE to the petitioner records the name of the petitioner's father as Ravindera Yadav in Annexure P-1 and Ravindera Singh Yadav in Annexure P-2. Learned counsel contends that it is obvious that a typographical mistake has occurred at the level of the CBSE Authorities therefore, the petitioner cannot be prejudiced for no fault of her.

4. On 1.11.2019, learned counsel for respondent Nos.1 to 3 had stated that he did not wish to file reply and would argue the case on the basis of material on record.

5. Today, learned counsel for respondent Nos.1 to 3 states that he does not dispute the authenticity of the documents Annexures P-5 and P-6 relied upon by the petitioner mentioning her father's name as Ravindra Singh Yadav.

6. In the light of the stand of learned counsel for respondent Nos.1 to 3, it is obvious that the mistake has occurred at the level of the CBSE, therefore, the petitioner cannot be penalised for the mistake committed by the CBSE. Accordingly, the writ petition is allowed. Impugned order Annexure P-8 rejecting the application is set aside and the respondents-CBSE are directed to issue fresh certificate to the petitioner after incorporating the correct details of the petitioner's father's name by taking such undertaking as is deemed appropriate in the facts and circumstances of the case.

7. At this stage, learned counsel for the petitioner states that due to typographical error in Annexure P-1, the examination has been mentioned as 'All India Senior Secondary School Examination, 2003' whereas it ought to be read as 'All India Secondary School Examination, 2003.

8. The plea of learned counsel for the petitioner is not opposed by learned counsel for the respondents-CBSE. Accordingly, Certificate

Annexure P-1 mentioned as Marks statement of 'All India Senior Secondary School Examination, 2003 be read as 'All India Secondary School Examination, 2003.

9. Writ petition allowed in the aforementioned terms.

November 14, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No