

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.18855 of 2017 (O&M)

Date of Decision: 04.12.2019

Simran Rana

... Petitioner

VS.

CBSE & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Deepak Gupta, Advocate for the petitioner

Mr. Aseem Aggarwal, Advocate for CBSE

GIRISH AGNIHOTRI, J. (Oral)

(1) The petitioner has filed the present writ petition with a prayer to quash the order dated 07.07.2017 (P7) by which correction of names in the Class X certificate has been rejected by respondents No.1&2 i.e. the CBSE.

(2) The case pleaded by the petitioner is that the petitioner appeared in the Class X examination in the March, 2016 under the Roll No. 2264728. At the time of filling of Class X examination form, the name of the petitioner, her father and her mother was inadvertently written as "Simran Thakur", "Pawan Thakur" and "Neetu Thakur" whereas as per the date of birth certificate, their actual names are "Simran Rana", "Pawan Kumar" and "Neetu Devi", respectively. It is then contended by the counsel, *inter alia* that the petitioner approached the school authorities for correction in the above-mentioned names. On an application made by the petitioner, the school authorities requested the CBSE to change the name of the petitioner and her parents in the Class X certificate.

(3) Thereafter on 07.07.2017 (P7), CBSE issued a letter to the Principal of the school on this subject. It was mentioned therein that the "*correction case has been considered by the competent authority of the*

Board but it could not be acceded to as the desired correction does not confirm (sic conform) to under Examination Bye-Laws of the Board". The objections so taken read as under:-

"1) In the instant case the school record does not support the desired correction, or

2) xxxx xxxx

3) There is a variation/inconsistency among difference School documents"

(4) The present writ petition was filed in the year 2017. During the pendency of the writ petition, subsequently there has been significant developments. Vide CM-1792-CWP-2019, the petitioner has sought permission to place on record the copies of the Matriculation and 10+2 examination certificates as Annexures P8 & P9. By making reference to these certificates, the petitioner submits that both the certificates have been issued by CBSE. In certificate (P9) which is a certificate for Senior School Certificate Examination, 2018 (popularly known as Class XII examination) issued by CBSE, the correct names have been mentioned, viz.

"Name of Student: SIMRAN RANA

Roll No: 2750458

Mother's Name: NEETU DEVI

Father's Name: PAWAN KUMAR"

(5) On the contrary in the Matriculation certificate (P8) which too has been issued by the respondent-CBSE, the petitioner's name and that of her parents are mentioned as:-

"This is certified that SIMRAN THAKUR Roll No.2264728

Mother's/Father's Name NEETU THAKUR/PAWAN

THAKUR..."

(6) Since CBSE itself in its record has accepted the names as claimed by the petitioner, therefore, to set their records straight and there

being no serious dispute about the fact that the school authorities have forwarded the case of the petitioner to the respondent-CBSE, this Court deems it appropriate to direct the respondents No.1&2 to make effective changes in the names and issue a fresh Matriculation certificate of the petitioner with correct names.

(7) At this stage, learned counsel for CBSE has further requested that the petitioner should be directed to return the original certificates of Class X where wrong names have been mentioned.

(8) The petitioner is directed to return the original certificate of Class X where wrong names have been mentioned. The petitioner is also directed to submit a formal application and deposit the prescribed fee. Upon her doing so, the respondents would issue new certificate to the petitioner with correct names as indicated above and as prayed for, within one month from the date of receipt of certified copy of this order.

(9) Ordered accordingly.

04.12.2019
Vvishal

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No