

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-533-2019 (O&M)
Date of Decision: 11.01.2019

Jabardast Singh

--Petitioner

Versus

Punjab School Education Board & another

--Respondents

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

Present:- Mr. Abhishek Sharma, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner seeks a Mandamus to the respondent-Punjab School Education Board for correction of his date of birth in the Matriculation Examination Certificate and for the same to be read as 22.4.1999 instead of 11.12.1997.

Counsel for the petitioner has been heard.

Apparently, a representation having already been moved by the petitioner as regards the prayer noticed herein above, the respondent-Board vide communication dated 2.2.2018 (Annexure P-4) informed the petitioner that the matter has been kept pending on account of grant of stay by this Court in CWP-20955-2016 and that further action in the matter would be taken after decision of the case.

It is not in dispute that CWP-20955-2016 stands decided by a Coordinate Bench of this Court on 15.2.2018 in the following terms:-

*“Petitioner (Harpinder Singh) is challenging the order dated 31.08.2016 (**Annexure P-12**), whereby the respondent-Board has rejected his application dated 04.08.2016 seeking correction in the date of birth as **18.07.1983** instead of recorded **13.07.1984** in the Middle (8th) and Matriculation (10th) Certificates (**Annexures P-1 & P-2, respectively**).*

The rejection is on the ground of five (05) years period of limitation from the date of issuance of the certificates.

*At the time of hearing, counsel for the respondent-Board states that the case of the petitioner can be considered afresh in the light of amendment carried out in the Punjab School Education Board Act, 1969, and the Bye-laws vide Notification dated 29.08.2017, whereby **the correction in the date of birth or father's name or mother's name beyond the five (05) years can be allowed with no specification of limitation of period/time.***

*In view of the aforesaid stand of the counsel for respondent-Board, the impugned order dated 31.08.2016 (**P-12**) is quashed and the petitioner is given liberty to approach the Board by filing a fresh application alongwith necessary documents.*

“Disposed of”.

Since the main case has been disposed of, no orders are required to be passed in the pending miscellaneous application(s), if any, and the same stand(s) disposed of.”

In view of the above, there would be no impediment in so far as processing the request of the petitioner as regards correction of date of birth in his Matriculation Certificate.

Instant writ petition is disposed of with a direction to respondent no.1 to proceed further in the matter and to take a final decision thereupon within a period of four weeks from the date of receipt of a certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.01.2019

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