

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 9347-2020
Date of decision:-07.07.2020

Central Board of Secondary EducationPetitioner
vs.

Permanent Lok Adalat (Public Utility Services) and anr.Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Kannan Malik, Advocate
for the petitioner.

RITU BAHRI, J.(Oral)

Petitioner is seeking quashing of order dated 22.01.2020 (P-4)
passed by respondent No. 1.

Respondent No. 2 filed an application (P-1) before respondent
No. 1 *inter alia* seeking correction of his father's name from 'Dashrat
Kumar' to 'Dashrath Kumar' in the records of petitioner-Board. The
application was allowed and hence the present writ petition.

Learned counsel for the petitioner has referred to Division
Bench of this Court in **LPA No. 1613-2014 titled as Ambika Kaul and
others vs. CBSE, 2015 (3) SCT 350 (P&H)** wherein it was held that it is
incumbent upon the student/guardian to provide the birth certificate to the
school while seeking admission so that the correct date of birth can be
entered in the school records and if the student or his guardian fails to do so,
they are estopped from relying on the birth certificate for any correction
whatsoever in the records of the Board.

This judgment is not applicable to the facts of the present case,
as in the present case, respondent No. 1 after going through the copy of

aadhar card, ration card, birth certificate of respondent No. 2 allowed the

application, as in the affidavit given by respondent No. 2, it was clearly mentioned that the name of the father has been mentioned as Dashrat Kumar. Further the school authorities wrote letters (P-6 and P-7) to the petitioner/Board for correction of father's name of respondent No. 2 but in vain.

The Division Bench judgment cannot be made a ground to set aside the order passed by respondent No. 1.

Learned counsel has further relied upon Bye-Law 69.1 of the Examination Bye-Laws, 1995 of the petitioner-Board wherein it has been mentioned that no correction in the name of the candidate or parents can be made unless the same is in consonance with the records of the school.

Keeping in view the fact that it seems to be only a typographical error in the name of the father of respondent No. 2 in the record of petitioner-Board and the fact that the school authorities wrote letters (P-6 and P-7) to the petitioner/Board for correction of father's name of respondent No. 2 but no action was taken.

Accordingly, the present writ petition is dismissed.

07.07.2020
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No