

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

CWP-11687-2020(O&M)

Date of decision:-11.8.2020

Malkiat Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Harinder Sharma, Advocate
for the petitioner.

H.S. MADAAN, J.

Case taken up through video conferencing.

Petitioner – Malkiat Singh, aged about 61 years, who has retired as Lecturer of Punjabi from Government Girls Senior Secondary School, Faridkot, presently residing at Faridkot has filed the instant civil writ petition under Article 226 of the Constitution of India against respondents i.e. State of Punjab, The Director Public Instructions (S.E.), Punjab and District Education Officer (S.E.), Faridkot for issuance of directions to them to change his father's name from Sh.Niranjan Singh to Sh.Bachittar Singh and mother's name from Smt.Kartar Kaur to Smt.Surjeet Kaur in the service book and other record and documents for

all intents and purposes.

According to the petitioner his natural parents happened to be Sh.Niranjan Singh – father and Smt.Utar Kaur alias Kartar Kaur – mother. However, he had been adopted by elder brother of his natural father namely Sh.Bachittar Singh and his wife Smt.Surjeet Kaur, who were childless. The petitioner has been brought up by them. However, in his school, college and university documents and service record, names of his natural parents i.e. Sh.Niranjan Singh and Smt.Kartar Kaur continued to be reflected. The petitioner has got the names changed in the other record relating to him but it could not be got down in his service record. He has served legal notice dated 30.4.2020 copy Annexure P13 upon the respondents in that regard but the respondents did not change the names of his parents in his service record, as such, he has filed the instant petition.

Notice of motion.

Mr.Pankaj Gupta, Addl. A.G., Punjab, accepts notice on behalf of respondent – State.

Learned counsel for the petitioner has contended that the petitioner would be satisfied if a direction is issued to respondents to consider the notice Annexure P13 and pass speaking order in the matter.

Learned State counsel representing the respondents states that respondents would do so as per direction issued by this Court..

Under the circumstances, to avoid any unnecessary litigation between the parties and to afford the respondents an opportunity to consider the claim of the petitioner and take appropriate action in the

matter, the present petition is disposed of directing the respondents to consider the legal notice dated 30.4.2020 copy Annexure P13 in accordance with law keeping in view the averments made in the notice and then to dispose it of by way of speaking order within a period of three months from today.

It is further observed that in case the petitioner is not satisfied with the order so passed by the respondents on his legal notice, he would be at liberty to approach this Court again in accordance with law.

11.8.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No