

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.232

CWP-18094-2019 (O&M)
Date of decision : 30.1.2020

Sumit Kumar

..... Petitioner

VERSUS

Central Board of Secondary Education and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Man Mohan, Advocate, for the petitioner.

Mr. Naveen Chopra, Advocate, for respondents No.1 to 4.

Mr. Manish Dadwal, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner is seeking correction in the father's name in his class X and XII certificates. The name of the petitioner's father is 'Suresha Nand' whereas, in the class X certificate it has been mentioned as 'Sureshanand Suman' and in the class XII certificate it has been mentioned as 'Suresh Ananda Suman'. The error is clerical in nature and therefore, the same may be corrected.

Learned counsel for respondents No.1 to 4 submits that the correction cannot be made, at this stage as it is barred by Rule 69.1(ii) of the CBSE Bye-Laws.

Rule 69.1(ii) of the CBSE bye-laws is reproduced below:-

(correction in candidate name, mother name and father name)

'Correction in name to the extent of correction in spelling errors, factual typographical errors in the Candidate's name, Surname, Father's name/Mother's name or Guardian's name to make it consistent with what is given in the school record or list of candidate (LOC) submitted by the school may be made.

Application for correction in name of
Candidate/Father's/Mother's/Guardian's name will be

considered only within one years of the date of declaration of result provided the application of the candidate is forwarded by the Head of Institution, with the following attested documents:

- a. True Copy of Admission form(s) filled in by the parents at the time of admission duly attested by the Head of the concerned institution.
- b. True Copy of the School Leaving Certificates of the previous school submitted by the parents of the candidates at the time of admission duly attested by the Head of the concerned institution.
- c. True Copy of the portion of the page of admission and withdrawal register of the school where the entry has been made in respect of the candidate duly attested by the Head of the concerned institution.'

The aforementioned Rule was in force in the year 2002 when the petitioner passed his class X examination as well as in the year 2005 when the petitioner passed his XII examination. The said Rule makes it clear that no request for correction would be entertained after one year of the date of declaration of the result. The class X result of the petitioner was declared in the year 2002, whereas, his class XII result was declared in the year 2005. Thus, application made in the year 2019 is time barred.

Learned counsel for the petitioner submits that prior to making a request in the year 2019, an earlier request was made in the year 2008, but no action had been taken on the said request. Thus, the petitioner is entitled to issuance of a direction on the basis of the application made in the year 2008.

The said argument is also misconceived. This writ petition has been filed in the year 2019 and the same would be barred by delay and latches, in case a prayer is made on the basis of the application made in the

The petitioner is not entitled to any relief.

In view of the above discussion, the writ petition is dismissed.

(SUDHIR MITTAL)
JUDGE

30.1.2020

Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No