

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.216

CWP-23648-2017 (O&M)

Date of decision : 10.1.2020

Kavya Kailas Gurao

..... Petitioner

VERSUS

Central Board of School Education and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vivek Singla, Advocate, for the applicant-petitioner.

Mr. Harsh Aggarwal, Advocate, for the respondents.

SUDHIR MITTAL, J. (Oral)

CM-3876-2019

The applicant wishes to amend the writ petition.

Notice of motion.

Mr. Harsh Aggarwal, Advocate, accepts notice on behalf of the respondents and he has no objection in case the amended writ petition is taken on record.

Accordingly, the application is allowed and amended writ petition is taken on record.

CWP-23648-2017

The petitioner has approached this Court under Article 226 of the Constitution of India for change of her name and that of her father's name in the certificate of Secondary School Examination.

Learned counsel for the petitioner submits that in the Secondary School Certificate, name of petitioner is mentioned as 'Kavya Gurao' and name of her father is mentioned as 'Kailas Gurao', whereas in all other documents such as Passport and Aadhar Card etc. her name is mentioned as 'Kavya Kailas Gurao' and her father's name is mentioned as 'Kailas Krishna

the petitioner is mentioned as 'Kavya Kailas Gurao' and her father's name is mentioned as 'Kailas Krishna Gurao'.

Learned counsel for the respondents submits that the change in name has been done after the issuance of the certificate and thus, according to the rules of the respondents, correction cannot be done by the respondents at their own level. However, in case the Court issues a direction, the necessary correction will be carried out.

In CWP-19705-2017 titled as 'Anshu Vs. Central Board of Secondary Education and others' decided on 20.9.2018, this Court has directed a similar correction. In that case, biological father of the petitioner therein had passed away and the name of the step father had been incorporated in the certificate. On being satisfied that the averments in the writ petition were true and correct, this Court directed correction of the father's name.

Accordingly, the writ petition is allowed and the respondents are directed to correct the name of the petitioner as well as her father's name in the Secondary School Examination Certificate in accordance with the prayer of the petitioner. However, the changed name will be mentioned under an alias so far as the petitioner is concerned. The changed name of father of the petitioner will be followed by the words 'correction in respect of father's name is as per the order dated 20.9.2018 of Punjab and Haryana High Court passed in CWP-19705-2017 titled as 'Kavya Kailas Gurao Vs. Central Board of Secondary Education and others.'

(SUDHIR MITTAL)
JUDGE

10.1.2020

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No