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

**CWP No.35090 of 2019
Date of Decision: 25.09.2020**

CHAHAT VERMA THROUGH HER FATHER SANJEEV KUMAR

.....Petitioner

Vs

**CENTRAL BOARD OF SECONDARY EDUCATION AND
OTHERS**

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Shiva Khurmi, Advocate
for the petitioner.

Mr. Kannan Malik, Advocate
for respondent No.1.

Mr. Aman Sharma, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner has preferred this writ petition for the issuance of appropriate writ in the nature of certiorari for quashing of communication dated 05.11.2019 issued by respondent No.1 vide which the correction sought in name of mother of the petitioner from Seema Verma to Seema Rani and

name of the father of petitioner from Sanjeev Kumar Verma to Sanjeev Kumar in the certificate of 10th standard dated 06.05.2019 was rejected.

Learned counsel for the petitioner placed reliance upon registration/admission form of 6th Standard prepared/issued by respondent No.2 i.e. the School in which parents name of the petitioner were correctly recorded. Father's name of petitioner has been recorded as Sanjeev Kumar and mother's name has been recorded as Seema Rani.

Learned counsel for the petitioner submitted that at the time of uploading details of the petitioner, the concerned class teacher filled the incorrect details of parents of the petitioner, thereby uploading mother's name as Seema Verma and father's name as Sanjeev Kumar Verma. On the basis of aforesaid wrong uploading, a list of candidates was sent to respondent No.1. Petitioner's name appeared in the aforesaid list against roll No.2304420. Respondent No.1 has relied upon the said list as Annexure R-2/1.

Learned counsel further submitted that perusal of Rule 69.1(ii) of the CBSE Bye-laws, 1995 would show that the correction in the name to the extent of correction in spelling errors, factual errors, typographical errors in 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 candidates (LOC) submitted by the School can be done.

Learned counsel further submitted that the case of petitioner falls under the aforesaid Rule as the names of her parents have been incorrectly recorded by the concerned class teacher at the time of uploading the details of the parents. The school itself vide communication dated 10.06.2019 issued to the Assistant Secretary (Correction Cell), CBSE, Regional Office, Sector 5, Panchkula has sought necessary correction in the names of parents of the petitioner. Respondent No.1 rejected the prayer only on the ground that the correction does not confirm under the examination bye laws of the Board.

I have considered the submissions made by learned counsel for the parties.

Perusal of the aforesaid Rule 69.1(ii) depicts the position otherwise than the stand taken by respondent No.1. In the birth certificate issued by the Municipal Corporation, Ambala City, names of the parents of petitioner have been correctly recorded as Sanjeev Kumar and Seema Rani respectively. It is only on account of uploading of incorrect names of parents of the petitioner, the error appeared in the certificate of 10th standard issued by respondent No.1 i.e. Annexure P-3.

Since the case of the petitioner is covered by Rule

69.1(ii) of the CBSE Bye Laws, therefore, there cannot be any conflict between the certificate issued by the school and the Board i.e. the CBSE. The school itself has forwarded the request for the necessary correction in the names of the parents of petitioner. The error seems to be a typographical error which is apparent from the birth entry and the school certificate of 6th standard of the petitioner. The case of the petitioner further substantiated in view of documents viz. Aadhar Card, Backward Class Certificate, PAN card, transfer certificate and other certificates collectively attached with the writ petitioner.

For the reasons recorded hereinabove, this petition is allowed. Respondent No.1 is directed to carry out the necessary correction/changes and issue a fresh certificate of 10th standard to the petitioner showing mother's names as Seema Rani instead of Seema Verma and father's name as Sanjeev Kumar instead of Sanjeev Kumar Verma.

Let the needful be done within a period of one month from the date of receipt of certified copy of this order.

September 25, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No