

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

(Through Video Conferencing)

LPA-52-2021 (O&M)
Date of Decision: 27.01.2021

Central Board of Secondary Education

.....Appellant

Versus

Chahat Verma

.....Respondent

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Kannan Malik, Advocate, for the appellant.

NIRMALJIT KAUR, J. (ORAL)

The present appeal is filed under Sections 10 and 12 of the Letters Patent Act with a prayer to set aside the judgment dated 25.9.2020, vide which, the learned Single Bench has allowed CWP-35090-2019.

While praying for setting aside the same, the only argument raised by learned counsel for the appellant is that the name cannot be changed as the ground for changing the name is not covered under bye-law 69.1 (ii) as the perusal of the bye-law shows that it is specifically bars the change/correction sought by the petitioner-respondent and that the error and factual typographical errors in the name/surname of the candidate can be changed only within the five years from the date of the declaration of the result.

However, the said argument has not merit. Learned Single Bench has specifically dealt with the argument in its order dated 25.9.2020 as under:-

“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.

The arguments raised by learned counsel for the appellant has already been met by the learned Single Bench in its detailed order dated 25.9.2020. The learned counsel for the appellant has not been able to point out any infirmity in the same. Accordingly, we reiterate the above observations made by the learned Single Bench.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

27.1.2021
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No