

RSA-494-2021 (O&M)

Date of decision : August 17, 2021

Central Board of Secondary Education

.....Appellant

Versus

Shivam and another

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Beant Singh Seemar, Advocate for the appellant.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This appeal has been filed by Central Board of Secondary Education challenging judgment and decree dated 16.09.2019 passed by the learned Additional Civil Judge (Senior Division), Shahabad, whereby suit filed by the respondent No. 1 – plaintiff has been decreed as well as judgment and decree dated 19.01.2021 passed by District Judge, Kurukshetra, whereby appellant's appeal has been dismissed. Plaintiff – respondent No. 1 filed a suit for correction in respect to his mother's name in his matriculation certificate issued by the present appellant. Plaintiff sought correction/change of his mother's name from Heena as was recorded in the matriculation certificate to that of Rekha as was recorded in the plaintiff's birth certificate as well as various other documents of the plaintiff's mother like her voter identity card, Pan card and Bank account etc. It was asserted that plaintiff's mother's actual name was Rekha and Heena was merely her nickname, given after her marriage. Learned Trial Court decreed the suit filed by the plaintiff. Appeal filed by the defendant (present appellant) was dismissed. Hence, aggrieved this appeal has been filed.

Learned counsel for the appellant is unable to deny that the matter is squarely covered against the appellant in view of judgment of Hon'ble Supreme Court in **Jigyada Yadav (Minor) (Through Guardian/father Hari Singh) Versus C.B.S.E. (Central Board of Secondary Education) and others** in Civil Appeal No. 3572 of 2019 decided on 03.06.2021. There is thus no question of law, much less a substantial question of law involved in this appeal.

Accordingly, this appeal being devoid of any merit is dismissed.

August 17, 2021
Rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No