

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CWP-11066-2019 (O&M)
Date of decision: 09.04.2021

Deepali Rattan

.....Petitioner

versus

Union of India and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Varun Sharma, Advocate for the petitioner.

Mr. Naveen Chopra, Advocate for respondent-CBSE.

GIRISH AGNIHOTRI, J. (Oral)

Petitioner-Deepali Rattan, stated to be aged 21 years, has filed the present petition *inter alia* with a prayer for issuance of a writ in the nature of certiorari for quashing the impugned order dated 13.09.2017 (Annexure P-5) whereby, representation dated 25.05.2017 (Annexure P-4) has been rejected by respondent No.3 on superfluous grounds.

Records of the case show that on 30.04.2019, the case was taken up by this Court and thereafter on 10.07.2019, notice of motion was issued.

In response thereto, reply on behalf of respondents No.2 & 3, has been filed. In the said reply, it has been *inter alia* submitted that the correction/change in the candidate's name, mother's name and father's name, is carried out strictly as per Rule 69.1(i) of Examination Bye-Laws of CBSE.

Learned counsel for the respondent further makes reference to

Rule 69.1(ii) of Examination Bye-Laws of CBSE, to submit that the application for correction in name of the candidate/father/mother/guardian, would be considered only within five years from the date of declaration of the result.

At this stage, learned counsel for the petitioner submits that in the present case, date of passing of the exam is 21.05.2016 (Annexure P-3).

This Court further finds that claim of the petitioner is that mother's name has always been 'Anju Bala' whereas, in the Marks Statement of 5th standard, it has been shown as 'Anju Rattan'. He further submits that in the Matriculation Certificate, mother's name was correctly mentioned as 'Anju Bala'. In this view of the matter, respondent-authorities are directed to consider the case as per law for the correction in the name of the mother. The objection of limitation would not stand because the application has been filed within five years from the declaration of the result. Otherwise also, since in the Matriculation Certificate, name of the mother is 'Anju Bala', this Court finds that it would be in fitness of things to direct the authorities to consider the case of the petitioner for change/correction in the mother's name because substantially, it would be consistent with the previous 10th Class certificate.

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

Civil Writ Petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

09.04.2021

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No