

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4760 OF 2018

Aruna Haresh Sheta ... Petitioner.

V/s.

The Regional Officer, Central Board of
Secondary Education & Another ... Respondents.

Mr. Sameer Khedekar, i/b Ms. Pratima Shelar, for the Petitioner.
Mr. Mihir Joshi, for Respondent No. 1.

CORAM : NITIN JAMDAR AND
AMIT BORKAR, JJ.

DATE : 24 JANUARY 2022.
(Through Video Conferencing)

P.C. :

Heard learned Counsel for the parties.

2. The impugned order, which the Petitioner has challenged, is of 25 January 2018. By the impugned order, the Respondent No. 1 – Central Board of Secondary Education (CBSE) has refused to correct the date of birth of the Petitioner's daughter on the 10th standard mark-sheet. Learned Counsel for the Petitioner has relied upon the decision of the Supreme Court in *Jigyada Yadav (Minor) (Through Guardian/Father Hari Singh) V/s. Central Board of Secondary*

Education & Others,¹ wherein the Supreme Court has considered the law on the subject as regard corrections in the mark-sheet pertaining to the change of name and also date of birth and has laid down various parameters within which the power can be exercised by the Respondent No. 1 – Board. Therefore, the position of law has undergone a substantial change since the impugned order is passed. The facts of the Petitioner’s case will have to be considered in light of the decision of the Supreme Court in *Jigyada Yadav* as to whether the Petitioner is entitled to the relief sought.

2. We direct the Respondent No. 1 – Board to take a decision in respect of the Petitioner’s application for the change of date of birth in the mark-sheet within a period of four weeks and inform the Petitioner accordingly. As regard the issue as to how the application is to be decided in light of the decision of the Supreme Court and outcome thereof is left to the Respondent No. 1 – Board and we have not commented on the merits of the Petitioner’s claim on facts.

3. With these observations, the Writ Petition is disposed of.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)

¹ (2021) 7 SCC 535.