

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(127)

CWP-1681-2023

Date of decision: - 30.01.2023

Ishaan Arora

....Petitioner

Versus

National Institute of Open Schooling and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vikas Sharma, Advocate, for the petitioner.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents No.1 and 2 to make necessary correction/rectification in the father's name of petitioner in his matriculation certificates i.e. in school certificate/record, mark sheet (Annexure P-1), provisional certificate (Annexure P-2), migration certificate (Annexure P-3) by correcting the name of his father as “Kamaljit Kumar” instead of “Kamaljeet Kumar Chugh” and further directing to respondents No.1 and 2 to issue fresh certificates with the corrected particulars.

Learned counsel for the petitioner has submitted that the entire issue with respect to changes/corrections to be made in the certificate issued by the Central Board of Secondary Education has been adjudicated upon by the Hon'ble Supreme Court in a detailed judgment passed in case

titled as “**Jigyada Yadav (minor) (through Guardian/father Hari Singh) Vs. CBSE (Central Board of Secondary Education) and others**”, and other connected matters reported as **2021(7) SCC 535** by a three Judge Bench of the Hon'ble Supreme Court and has submitted the parameters laid in the said judgment would also apply to respondents No.1 & 2 and prayed that the present petition be treated as a representation by respondents No.1 and 2 and respondents No.1 and 2 be directed to consider the said representation and pass an appropriate speaking order within a period of seven weeks from date when the said representation is received by respondents No.1 and 2.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of in the following terms:

- (i) The present petition along with the documents would be treated as a representation and in case, any other documents are to be annexed by the petitioner in light of the judgment passed by the Hon'ble Supreme Court in **Jigyada Yadav (minor)'s case** (supra), then, the same be done within a period of 10 days from today.
- (ii) Respondents No.1 and 2 are directed to consider the present petition as a representation and decide the same as expeditiously as possible, preferably, within a period of seven weeks from the date of receipt of the present petition/representation, in accordance with law.

January 30, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No