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

CWP-4638-2021

Date of decision : 02.05.2023

Naveen Kumar

...Petitioner

Versus

Board of School Education, Haryana Bhiwani

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ashok K. Sharma (Bhana), Advocate for the petitioner.

Ms. Vasundhra Asija, Advocate for
Mr. Pravindra Singh Chauhan, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. 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 certiorari for setting aside the impugned order dated 04.12.2019 (Annexure P-10) passed by respondent and mandamus directing the respondent to consider the case of the petitioner and to direct the respondent to correct the father's name of the petitioner to "Mewa Singh" from "Meva Singh" and to correct the date of birth of the petitioner to "18.03.1990" from "06.03.1991" in the Secondary Certificate.

2. 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. It is further submitted that parameters as laid down in the abovesaid judgment would also apply to the respondent-Board and has prayed that the petitioner be permitted to file representation keeping in view the parameters laid down in the abovesaid judgment and prays that the respondent be directed to consider the said representation and pass a speaking order within a period of six weeks from the date the said representation is received by the respondent. It is further contended that the impugned order dated 04.12.2019 (Annexure P-10) has been passed prior to the passing of abovesaid judgment in ***Jigyada Yadav (minor)'s case*** (Supra) and thus, the said impugned order deserves to be set aside and the said matter requires to be reconsidered in light of the abovesaid judgment.

3. Learned counsel appearing on behalf of the respondent-Board has stated that they have no objection to the said course of action.

4. Keeping in view the abovesaid facts and circumstances, the impugned order dated 04.12.2019 (Annexure P-10) is set aside and the present Civil Writ Petition is disposed of in the following terms:-

- a) The petitioner is granted liberty to file a detailed representation and annex all the documents in light of the judgment passed by the Hon'ble Supreme Court in ***Jigyada Yadav (minor)'s case*** (Supra). Learned counsel for the petitioner has stated that the petitioner would submit the said representation along with certified copies of the

relevant record and would get the said representation forwarded through the school.

- b) The respondent is directed to decide the said representation as expeditiously as possible preferably within a period of six weeks from the date of receipt of the said representation, in accordance with law.

5. Needless to mention here that it would be open to respondent-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

02.05.2023
Pawan

(VIKAS BAHL)
JUDGE

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