

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(233)

CWP-3537-2019

Date of decision: - 26.04.2023

Sanjit Singh

....Petitioner

Versus

National Institute of Open Schooling

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. Harsh Aggarwal, Advocate
for the respondent.

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 respondent to consider the case of the petitioner and to direct the respondent to correct the name of petitioner as “Sanjit Singh” and date of birth as “17.12.1986” in Matriculation Certificate.

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 that the parameters laid down in the said judgment would also apply to the respondent-Institute and has prayed that the petitioner be permitted to file a 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.

Learned counsel appearing on behalf of the respondent-Institute has stated that there are other judgments also on the aspect of change of date of birth, which are required to be taken consideration by the respondent.

Keeping in view the above-said facts and circumstances, the present Civil Writ Petition is disposed of in the following terms:-

- 1) 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 ***Jigya 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.
- 2) 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.

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

April 26, 2023
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(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No