

270

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

CWP-3420-2023

Date of decision : 21.03.2023

Satinder Kaur

...Petitioner

Versus

Central Board of Secondary Education and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. B.S. Jatana, Advocate for the petitioner.

Mr. Munish Kapila, Advocate
for respondent Nos.1 and 2-CBSE.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, orders or directions especially a writ in the nature of certiorari for quashing of order dated 03.01.2023 (Annexure P-10), vide which, respondent No.2 has refused to change the parents name in the school certificates of the petitioner on the basis of her public documents, with a further prayer for issuance of directions to the respondents to change the parents name in the school certificates of the petitioner issued by respondent No.1 on the basis of public documents.

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 **Jigya 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 prayed that the petitioner be permitted to file representation keeping in view the parameters laid down in the abovesaid judgment and prays that the respondents 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 respondents. Learned counsel for the petitioner has further submitted that the reason why the petitioner has challenged the order dated 03.01.2023 was that CBSE had asked the petitioner to apply for correction through School.

Learned counsel appearing on behalf of CBSE has stated that as per their latest letter dated 21.03.2023, the petitioner has been asked to give the original educational documents along with public documents in support of her claim and after submissions of the same, every endeavour would be made to take decision in accordance with law within a period of six weeks from the date of receipt of said representation/documents. It is further submitted that the petitioner be also directed to deposit the requisite fee.

Keeping in view the abovesaid facts and circumstances, order dated 03.01.2023 (Annexure P-10) is set aside and 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 ***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 along with requisite fee.

- 2) The respondents are 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 respondent No.1-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

21.03.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No