

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

118

CWP No.3874 of 2023
Date of Decision: 24.02.2023

Riya Sharma

..... Petitioner

Versus

Central Board of Secondary Education and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Dharam Pal, Advocate, for
Mr. A.K. Walia, Advocate
for the petitioner.

Mr. B.S. Seemar, Advocate
for respondents No.1.

VIKAS BAHL, J (ORAL)

This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to correct the father's name of the petitioner from 'Sanjiv Sharma' to 'Sanjeev Sharma' in her matriculation certificate dated 28.05.2015 and all other records of the respondents and to issue fresh certificate of 10th class to the petitioner with the correct spellings of father's name.

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 'Jigyaa 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 above said 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 appearing on behalf of CBSE has stated that they have no objection to the said course of action.

Keeping in view the above facts and circumstances of the case, the present 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 and would get the said representation forwarded through the school.
- 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.

24.02.2023
D.Bansal

(VIKAS BAHL)
JUDGE