

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-4816-2022

Date of decision : 10.02.2023

Rajni

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sanjeev Kumar Bawa, Advocate
for the petitioner.

Mr.Rajneesh Chadwal, AAG, Haryana.

Mr.Deepak Balyan, Advocate
for respondents no.2 and 3.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of certiorari for quashing of order dated 07.06.2021 (Annexure P-6) whereby respondent no.2 had rejected the application of the petitioner for correcting the spelling mistake in the name of her father from “Somesh Pal” to “Samas Pal”. The other prayers have also been made.

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

matters reported as **2021(7) SCC 535** by a three Judge Bench of the Hon'ble Supreme Court and parameters laid down in the said judgment would also apply to respondents no.2 and 3-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 respondents be directed to consider the said representation and pass a speaking order within a period of four weeks from the date the said representation is received by the respondents. Learned counsel for the petitioner has further submitted that since the impugned order dated 07.06.2021 was also passed after the date of the judgment passed in ***Jigyada Yadav (minor)'s*** case (supra) and the law laid down in the said judgment has not been taken into consideration in the impugned order and thus, the same deserves to be set aside.

Learned counsel appearing for the respondents no.2 and 3-Board has stated that they have no objection to the said course of action.

Keeping in view the abovesaid facts and circumstances, the impugned order dated 07.06.2021 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 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 four weeks from the date of receipt of the said representation, in accordance with law.

(VIKAS BAHL)
JUDGE

February 10, 2023
Davinder Kumar

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