

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

(258)

CWP-5032-2020**Date of decision: - 18.08.2023****Parneet Kaur****....Petitioner****Versus****Union of India and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. B.P.S. Virk, Advocate,
for the petitioner.

None for respondent No.1.

Mr. Mukesh Tomar, Advocate
for Mr. Nitin Kant Setia, Advocate
for respondents No.2 and 3.

None for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to change the names of her parents in the certificate of Secondary School Examination, Class 10th.

2. Learned counsel for the petitioner has submitted that petitioner has been adopted by his adopted parents, vide registered adoption deed dated 13.06.2019 (Annexure P-3) and even the certificate issued by respondent-Board with respect to 10 + 2 class carries name of her parents as Jagtar Singh and Lakhwinder Kaur, who have adopted the

present petitioner. It is further submitted that even in the Aadhar Card as well as in the birth certificate, the name of the adopted parents have been mentioned. It is contended 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 prays that the petitioner be permitted to file a representation keeping in view the parameters laid down in the abovesaid judgment and further prays that respondent Nos.2 and 3 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 respondents No.2 and 3.

3. Learned counsel appearing on behalf of respondents No.2 and 3 has stated that they have no objection to the said course of action.

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

- i) 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.
- ii) Respondents No.2 and 3-Board 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 Nos.2 and 3-Board to require the petitioner to submit any document which would be required for finally considering the case of the petitioner.

August 18, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No