

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5157-2023

Date of decision : 15.03.2023

Amritpal Singh

... Petitioner

Versus

Punjab School Education Board Vidya Bhawan and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ravi Gakhar, Advocate
for the petitioner.

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, order or direction in the nature of mandamus directing the respondents for correction of date of birth from 05.02.1999 to 06.07.2000 in his matriculation certificate dated 24.05.2016.

Learned counsel for the petitioner has submitted that the date of birth of the petitioner in the birth certificate is 06.07.2000 and even in the other public documents, his date of birth is 06.07.2000. It is further 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 by the Hon'ble Supreme Court would also apply in the case of respondent no.1-Board 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.

Keeping in view the abovesaid 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 documents 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.

(VIKAS BAHL)
JUDGE

March 15, 2023
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No