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

CWP-6640-2020

Date of decision : 07.02.2023

Deepak Viridi

...Petitioner

Versus

Board of School Education, Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ankur Sheoran, Advocate for
Mr. M.S. Kathuria, Advocate for the petitioner.

Ms. Vasundhra Asija, Advocate for
Mr. P.S. Chauhan, Advocate for respondent-BSEH.

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 in the nature of certiorari for quashing of order dated 09.01.2020 (Annexure P-9), whereby the prayer of the petitioner to correct his date of birth has been declined. Further prayer has been made in the writ petition for issuance of writ in the nature of mandamus directing the respondent to correct the date of birth of the present petitioner from 04.05.1991 to 05.05.1990 in the Secondary School Examination Certificate (Annexure P-6) issued by the respondent as the date of birth of the petitioner is 05.05.1990 as per Birth Certificate (Annexure P-1).

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 **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. It is further submitted that the parameters as laid down by the Hon'ble Supreme Court in the abovesaid judgment would also apply to the respondent-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 respondent 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 respondent. It is contended that the order dated 09.01.2020 was passed prior to the passing of the abovesaid judgment by the Hon'ble Supreme Court and thus, the same deserves to be set aside.

Learned counsel appearing on behalf of the respondent has stated that he has no objection to the said course of action.

Keeping in view the abovesaid facts and circumstances, the impugned order dated 09.01.2020 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 respondent is 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.

07.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No