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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5693-2023

Date of decision : 20.03.2023

Harsh

...Petitioner

Versus

National Institute of Open Schooling through its Regional Director

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravinder Kumar Panchal, 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 in the nature of mandamus directing the respondent to make the necessary correction in the Matriculation Certificate bearing Roll No.250012142140 (Annexure P-1) regarding the name of mother of the petitioner as “Smt. Sulochna Devi” instead of “Smt. Santosh”, in the interest of justice.

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 (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 further submitted that law laid down by the Hon'ble Supreme Court in ***Jigyada Yadav (minor)'s case*** (Supra) would also apply to the respondent-National Institute of Open Schooling 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 six weeks from the date the said representation is received by the respondent.

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 ***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.
- 2) The respondent 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.

Needless to mention here that it would be open to respondent to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

20.03.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**