

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-6557-2023

Date of decision : 11.04.2023

Ritik Sharma

... Petitioner

Versus

Central Board of Secondary Education and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Pankaj Bali, 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 respondents to correct the name of mother of the applicant as “Kirti Sharma” instead of “Kirti” in the matriculation certificate dated 03.06.2017 (Annexure P-5) and in the 10+2 certificate dated 02.05.2019 (Annexure P-6).

Learned counsel for the petitioner has submitted that the name of the mother of the petitioner is Kirti Sharma and has referred to Aadhar card (Annexure P-2), PAN card (Annexure P-3) and matriculation certificate (Annexure P-4) regarding the same. 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 ***Jigyaa 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 parameters laid down in the

said judgment would also apply to respondents no.1 and 2-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 six weeks from the date the said representation is received by the respondents.

Keeping in view the abovesaid facts and circumstances, the present 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 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 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 the respondents 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

April 11, 2023
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No