

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-9323-2022

Date of decision : 20.02.2023

Ms.Arushi Sharma

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Rishab Goyal, Advocate for
Mr.Deepak Girotra, Advocate
for the petitioner.

Mr.B.S.Seemar, Advocate
for respondent no.1.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to issue the mark sheets and degrees (Annexures P-1 to P-9) of the petitioner by adding/correcting the complete initials in the name of the petitioner so as to read the same as “Arushi Sharma d/o Poonam Sharma and Sanjeev Kumar” instead of “Arushi d/o Poonam and Sanjeev Kumar”.

Learned counsel for the petitioner has submitted that at this stage, the petitioner would limit the prayer in the present writ petition to the correction of documents Annexures P-1 and P-2 which has been issued by the CBSE inasmuch as, as per the instructions, respondent no.2-Panjab University has assured the petitioner that in case respondent no.1-CBSE

changes the names in the certificates as desired then the Panjab University would also follow the same. It is further submitted that the correct names of the petitioner and her parents is mentioned in Annexures P-10 to P-14. It is further submitted that 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 parameters laid down in the said judgment would also apply to respondents no.2 and 3-Board and has prayed that the petitioner be permitted to file a 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.

Learned counsel appearing for the respondent no.1-Board has stated that they have no objection to the said course of action.

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 school record and relevant documents and would get the said representation forwarded through the school.

2) The respondent no.1 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 that it would be open to respondent no.1- CBSE to require the relevant documents from the petitioner or from the concerned school so as to meet the parameters as stated in the judgment of the Hon'ble Supreme Court in *Jigya Yadav (minor)'s* case (supra).

(VIKAS BAHL)
JUDGE

February 20, 2023
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No