

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

(217)

CWP-11728-2020

Date of decision: - 29.09.2023

Manpreet Kaur

....Petitioner

Versus**Central Board of Secondary Education and another**

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gaurav Rana, Advocate
for the petitioner.

Mr. Kannan Malik, Advocate
for respondent No.1.

Mr. Aseem Aggarwal, Advocate
for Mr. Harsh Aggarwal, Advocate
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially a writ in the nature of mandamus directing the respondents to enter the name of natural parents of the petitioner i.e. Amarjit Singh son of late Gurnam Singh and Mandeep Kaur in her 10th Standard Mark Sheet (Annexure P-2) and to delete the name of Nirmal Singh son of late Surjit Singh and Barjinder Kaur in view of the fact that the adoption deed dated 22.04.2003 has been set aside, vide judgment and decree dated 30.03.2018 (Annexure P-4).

2. Learned counsel for the petitioner has submitted that during

the pendency of the present writ petition, the petitioner, through her school, had given an application for reconsideration of the matter and has prayed that the petitioner be granted permission to give a detailed representation in view of the judgment passed by the Hon'ble Supreme Court 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 the petitioner would also annex the relevant documents along with the same and respondent-Board be directed to reconsider the matter in light of the averments made in the said representation and also in light of the judgment passed by the Hon'ble Supreme Court in **Jigya Yadav (minor)'s case** (supra) and pass a speaking order within a period of four weeks from the date the said representation is received by the respondents-Board.

3. Learned counsel appearing for respondent No.1 has submitted that in case a detailed representation is moved by the petitioner, then, the matter would be considered in light of the averments made in the said representation and also in light of the judgment passed by the Hon'ble Supreme Court in **Jigya Yadav (minor)'s case** (supra) within a period of four weeks from the date of receipt of said representation.

4. Keeping in view the above-said facts and circumstances, the present Civil Writ Petition is disposed of in the following terms:-

- i) 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.

- ii) Respondents are 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.

5. Needless to mention here that it would be open to the respondents-Board to require the petitioner to submit any document which would be required for finally considering the case of the petitioner.

September 29, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No