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

CWP-10766-2023

Date of decision: 18.05.2023

Jashandeep Singh

...Petitioner

Versus

National Institute of Open Schooling and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manik Makkar, Advocate for the petitioner.

Mr. Aseem Aggarwal, Advocate and
Mr. Harsh Aggarwal, Advocate for the respondents.

VIKAS BAHL, J. (ORAL)

1. 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 mother's name of the petitioner from "Daljit Kaur" to "Dalbir Kaur" in the Marks Statement of the Senior Secondary School Examination (Annexure P-1) dated 15.12.2018 issued by respondent No.1-Institute to the petitioner. Further prayer has been made for issuance of a writ in the nature of certiorari for quashing of letter dated 17.11.2021 (Annexure P-10) vide which the said request has been rejected.
2. 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 in the abovesaid judgment would also apply to the respondent-Institute 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. It is further contended that the letter dated 17.11.2021 (Annexure P-10) deserves to be set aside as the same has been passed without considering the abovesaid judgment passed by the Hon'ble Supreme Court in **Jigyada Yadav (minor)'s case** (Supra).

3. Learned counsel appearing on behalf of respondent Nos.1 and 2 has stated that they would reconsider the matter independently and in accordance with law.

4. Keeping in view the abovesaid facts and circumstances, the letter dated 17.11.2021 (Annexure P-10) is set aside and the present Civil Writ Petition is disposed of in the following terms:-

- a) 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.

- b) 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.

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

18.05.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No