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

CWP-14012-2021

Date of decision : 20.02.2023

Devasnhi

...Petitioner

Versus

Central Board of Secondary Education and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Ishita Jain, Advocate for the petitioner.

Mr. Naveen Chopra, Advocate for respondent Nos.1 and 2.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of certiorari for quashing the impugned letter dated 18.03.2021 (Annexure P-10) passed by respondent No.2 whereby the application qua prayer of respondent No.3 for carrying out the necessary correction of father's name of the petitioner from “Nitin Kumar” to “Nitin Sharma” in the record of CBSE including the marks sheet of Class 10th of the petitioner, has been rejected.

Learned counsel for the petitioner has submitted that the name of father's name has been correctly mentioned in Aadhaar Card (Annexure P-3), Pan Card (Annexure P-5), Ration Card (Annexure P-6),

Family I.D. (Annexure P-7) and has 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 **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 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 impugned order had been passed on 18.03.2021 and the judgment in ***Jigyada Yadav (minor)'s case*** (Supra) has been rendered on 03.06.2021 and thus, the matter requires reconsideration.

Learned counsel appearing on behalf of respondent Nos.1 and 2 has stated that they have no objection to the said course of action.

Keeping in view the abovesaid facts and circumstances, the impugned order dated 18.03.2021 is set aside and 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 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.

20.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No