

CWP-11845-2023

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2023:PHHC:077651

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-11845-2023

Date of decision : 29.05.2023

Shubhankar Goswami

... Petitioner

Versus

Central Board of Secondary Education

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Kanav Bansal, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially a writ in the nature of mandamus directing the respondent-Board to correct the date of birth of the petitioner in his matriculation certificate dated 01.06.2011 on the basis of Birth Certificate, Aadhar Card and passport and other documents.

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 ***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 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 respondent-Board 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 respondent-Board.

3. Keeping in view the abovesaid facts and circumstances, the present 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 and would get the said representation forwarded through the school.

ii) The respondent-Board is 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.

4. Needless to mention here that it would be open to the respondent-Board 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

May 29, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No