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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11717-2023

Date of decision: 29.05.2023

Vikas Goswami

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Saurabh Sharma, Advocate for
Mr. Lokesh Sharma, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana,
for respondent Nos.1 and 3.

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 respondent No.3 to correct the date of birth of the petitioner in the middle and matriculation certificates.

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 **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. It is further submitted that parameters as laid down in the abovesaid judgment would also apply to the respondent No.3-Board 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 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.

3. Learned counsel appearing on behalf of respondent No.3-Board has stated that they have no objection to the said course of action.

4. Keeping in view the abovesaid facts and circumstances, 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 *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.
- b) Respondent No.3 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.

5. Needless to mention here that it would be open to respondent No.3-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

29.05.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No