

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12260-2023

Date of decision : 31.05.2023

Bikarjeet Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: Mr. Gagan Pradeep Singh Bal, Advocate
for the petitioner.**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 certiorari for changing the date of birth of the petitioner in the matriculation certificate of PSEB, Punjab dated 30.09.1983 (Annexure P-1) wherein the date of birth of the petitioner has been wrongly mentioned as 15.05.1965.

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 submitted that law laid down in the abovesaid judgment would also apply to respondent no.4-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 respondent no.4-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 respondent no.4-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 ***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.

ii) Respondent no.4-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 no.4-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 31, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No