

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-19599-2022(O&M)

Date of decision : 14.09.2023

Hemant Singh Khatana alias Hemraj alias H S. Khatana

... Petitioner

Versus

Central Board of Secondary Education, Panchkula and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Kamal Chaudhary, Advocate
for the petitioner.

Mr.Naveen Chopra, Advocate
for respondent no.1.

VIKAS BAHL, J.(ORAL)

CM-15299-CWP-2023

1. This is an application under Section 151 CPC for actual date of hearing in the main case.

2. For the reasons stated in the application which is supported by an affidavit, the application is allowed and the main case is taken up for hearing today itself.

CWP-19599-2022

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus to give direction to the respondents for correction of the name of the petitioner in the certificate (Annexure P-1).

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 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.1-Board be directed to consider the said representation and pass a speaking order within a period of four weeks from the date the said representation is received by respondent no.1-Board.

3. Learned counsel appearing for the respondent no.1-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 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.1-Board is directed to decide the said representation as expeditiously as possible preferably within a period of four 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 respondent no.1-Board to require the petitioner or the school to submit any document

which would be required for finally considering the case of the petitioner.

5. Pending miscellaneous application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

September 14, 2023.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No