

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(255)

CWP-3589-2021

Date of decision: - 24.02.2023

Sharda

....Petitioner

Versus

Board of School Education, Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ashok Kumar Sharma (Bhana), Advocate,
for the petitioner.

Ms. Vasundhra Asija, Advocate
and Mr. Mayank Garg, Advocate
for Mr. P.S. Chauhan, Advocate, for the respondent-BSEH.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus for direction the respondent to consider the case of the petitioner and to correct the date of birth of petitioner to 12.01.1997 from 04.07.1992 in Middle and Secondary certificates.

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 and has submitted that the parameters laid down in the said judgment would also apply to the respondent-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 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 respondent.

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

Keeping in view the abovesaid facts and circumstances, 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 ***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.
- 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.

February 24, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No