IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(213)

CWP-13085-2017
Date of decision: - 23.01.2023

Ved Parkash

....Petitioner

Versus

National Institute of Open Schooling and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Devender Punia, Advocate
for the petitioner.

Ms. Chaynika Gautam, Advocate
for Mr. Harsh Aggarwal, Advocate
for the respondents.

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VIKAS BAHL, J. (ORAL)

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 thereby directing the respondent Institute to correct the date of birth of the petitioner to 15.02.1981 instead of 30.06.1984 in the detailed mark sheet pertaining to matriculation examination i.e. 10th Class (Annexure P-3).

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

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Bench of the Hon'ble Supreme Court and has submitted the parameters laid in the said judgment would also apply to the respondents 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 respondents.

Learned counsel appearing on behalf of the respondents 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).

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.

(VIKAS BAHL)
JUDGE

January 23, 2023
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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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