

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(248)

CWP-11439-2018

Date of decision: - 18.08.2023

Surinder Singh

....Petitioner

Versus

Board of School Education, Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rajinder Kumar Singla, Advocate, for the petitioner.

None for the respondents.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondent No.1 to correct the date of birth of the petitioner recorded as 18.04.1996 to the correct date of birth i.e., 19.04.1996, as per the birth certificate (Annexure P-10.).

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 "**Jigyra 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

respondent No.1-Board and prays that the petitioner be permitted to file a representation keeping in view the parameters laid down in the abovesaid judgment and further prays that respondent No.1 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. None had appeared on behalf of the respondents on 17.01.2023 and 10.07.2023. Today also, no one has appeared on behalf of the respondents to assist in the matter.

4. Keeping in view the above-said 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.
 - 2) Respondent No.1-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.
5. Needless to mention here that it would be open to respondent No.1-Board to require the petitioner to submit any document which would be required for finally considering the case of the petitioner.

August 18, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No