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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16903-2016 (O&M)
Date of decision: 18.05.2023

Gurpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Peeush Gagneja, Advocate for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab, for respondent Nos.1 to 4.

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 mandamus directing the respondents to make the correction of the date of birth in the Education Certificate of the petitioner.

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 **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. It is further submitted that the parameters as laid down in the abovesaid judgment would also apply to respondent No.4-State Council of Educational Research and Training (SCERT), Punjab 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 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.

3. Learned counsel appearing on behalf of respondent Nos.1 to 4 has stated that they have no objection to consider the matter in case, representation is filed by the petitioner.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of in the following terms:-

- a) 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.
- b) Respondent No.4 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.4 to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

18.05.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No