

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(264)

CWP-18393-2021

Date of decision: - 08.02.2023

Prerna Singh Sahota

....Petitioner

Versus

Central Board of Secondary Education and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Naveen Chopra, Advocate
for respondents No.1 and 2.

None for respondent No.3.

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 directing respondents No.1 & 2 to correct the date of birth of the petitioner as 18.11.1998 instead of 18.11.1999 in her Grade Sheet-cum-Certificate of Performance Examination under Roll No.2220849 (Annexure P-1) issued by the CBSE for the Secondary School Examination (Session 2013-15).

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 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 four weeks from the date the said representation is received by the respondents.

Learned counsel for the petitioner has further referred to para No.5 of the reply, filed by respondents No.1 and 2 and has pointed out that respondents No.1 and 2 have taken a stand that in case the petitioner makes a fresh representation to CBSE alongwith the public documents such as, Aadhar Card, Birth Certificate, Election Card etc. in respect of his claim for correction, then, the same would be considered in the light of the judgment passed by the Hon'ble Supreme Court in ***Jigya Yadav (minor)'s case*** (supra).

Learned counsel appearing on behalf of CBSE 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 four weeks from the date of receipt of the said representation, in accordance with law.

February 08, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No