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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP-17838-2020

Date of decision: 24.05.2023

Alisha @ Sofia

...Petitioner

Versus

Central Board of Secondary Education and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Pankaj Garg, Advocate for the petitioner.

Mr. B.S. Seemar, Advocate for respondent No.1.

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**VIKAS BAHL, J. (ORAL)**

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for the issuance of a writ, order or direction, especially in the nature of certiorari for quashing the order dated 17.03.2019 (Annexure P-6) and further in the nature of mandamus directing the respondents to correct the date of birth of the petitioner in her matriculation certificate (Annexure P-4) on the basis of Birth Certificate, Passport, 5<sup>th</sup> class documents.

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 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. It is further contended that the order dated 17.03.2019 (Annexure P-6) deserves to be set aside as the same has been passed prior to the passing of the abovesaid judgment in ***Jigya Yadav (minor)'s case*** (Supra) and thus, the matter requires to be reconsidered.

3. Learned counsel appearing on behalf of CBSE has stated that they have no objection to the said course of action.

4. Keeping in view the abovesaid facts and circumstances, the order dated 17.03.2019 (Annexure P-6) is set aside and 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 ***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.
- b) Respondent No.1 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 or the school to submit any document which would be required for finally considering the case of the petitioner.

24.05.2023  
*Pawan*

(VIKAS BAHL)  
JUDGE

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|-----------------------------|--------|
| Whether speaking/reasoned:- | Yes/No |
| Whether reportable:-        | Yes/No |