

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(252)

CWP-18057-2020

Date of decision: - 02.03.2023

Vishal

....Petitioner

Versus

Central Board of Secondary Education and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurmej Singh Bhinder, Advocate
for Mr. S.K. Choudhary, Advocate,
for the petitioner.

Mr. Beant Singh Seemer, Advocate
for respondents No.1 and 2.

Mr. Harsh Aggarwal, Advocate
for respondents No.3 and 4.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents No.1 and 2-Board to effect the correction in the name of the mother of the petitioner in the matriculation certificate, inasmuch as, name of mother of the petitioner in the birth certificate has been mentioned as 'Biaso Devi', whereas, in the certificate of 10th Class issued by respondents No.1 and 2-Board the name has been mentioned as 'Byaso'.

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 a 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 respondents No.1 and 2-CBSE as well as learned counsel for respondents No.3 and 4 have stated that they have no objection to the said course of action.

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 and would get the said representation forwarded through the school.
- 2) Respondents No.1 and 2 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.

Needless to mention that it would be open to respondents No.1 & 2-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

March 02, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No