

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-15356-2023

Date of decision : 20.07.2023

Manvinder Singh

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Gurjant Singh, Advocate
for the petitioner.

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

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 change the name and parentage of the petitioner in the matriculation certificate from Manvinder Singh Sahni son of Jagjeet Singh Sahni to Manvinder Singh son of Jagjit Singh.

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 ***Jigyada 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. Learned counsel for the petitioner has submitted that while considering the said representation, the order dated 05.01.2023 be not taken into consideration.

3. Learned counsel appearing for respondent no.1 and 2-Board has stated that in the present case, certificate is of the year 1974 and record of the same is not available and it has further been submitted that the Board would consider the representation keeping in view the judgment passed by the Hon'ble Supreme Court in ***Jigyada Yadav (minor)'s*** case (supra).

4. Keeping in view the abovesaid facts and circumstances, the order dated 05.01.2023 is set aside and the present petition is disposed of in the following terms:-

i) 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.

ii) 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.

5. Needless to mention here that it would be open to the

any document which would be required for finally considering the case of the petitioner.

(VIKAS BAHL)
JUDGE

July 20, 2023
Davinder Kumar

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