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

CWP-18689-2022

Date of decision : 13.02.2023

Charanjeet Kaur

...Petitioner

Versus

Punjab School Education Board and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Madhav Pokhrel, Advocate for the petitioner.

Mr. Charan Jit Sharma, Advocate for the respondents.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of certiorari for quashing/setting aside the letter/communication dated 18.05.2022 (Annexure P-8) issued by the Punjab School Education Board, to the extent that the correction of date of birth from 02.02.1988 to 02.02.1990 in the matriculation certificate has been rejected.

Learned counsel for the petitioner has submitted that the correct date of birth of the petitioner is 02.02.1990 as has been mentioned in the Birth Certificate and inadvertently, the date of birth mentioned by the petitioner in the School record is 02.02.1988.

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 which are laid down in the abovesaid judgment would also apply to respondent Nos.1 and 2-Board 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 for the petitioner has further submitted that the order dated 18.05.2022 (Annexure P-8) has not taken into consideration ***Jigya Yadav (minor)'s case*** (Supra), thus, the same may kindly be set aside.

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

Keeping in view the abovesaid facts and circumstances, the order dated 18.05.2022 (Annexure P-8) is set aside and 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 *Jigyada Yadav (minor)'s case* (Supra).

- 2) The respondents 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.

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

13.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**