

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

(301)

CWP-18107-2018

Date of decision: - 18.01.2023

Abhipreet Singh Latawa

....Petitioner

Versus

Central Board of Secondary Education and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rajender Kumar, Advocate
for Mr. Rohan Sharma, Advocate
for the petitioner.

Mr. Naveen Chopra, Advocate
for CBSE.

Mr. Ravi Mishra, Advocate
for Mr. Karan Singla, Advocate
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 certiorari for setting aside the letter dated 25.02.2018 (Annexure P-8), vide which the claim of the petitioner for correction of the father's name of the petitioner from "Madanjeet Singh" to "Madan Lal" in the mark sheet bearing Roll No.2310370 has been rejected and further a writ of mandamus directing the respondents No.1 and 2 to correct the father's name of the petitioner from "Madanjeet Singh" to "Madan Lal" in his 10th class mark sheet bearing Roll No.2310370 and other reliefs have also been prayed for.

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. It is further submitted that the reconsideration be done without taking into consideration the observations made in the order dated 25.02.2018 (P-6) and has also prayed that the said order be set aside.

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 impugned order dated 25.02.2018 (P-6) 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 **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 school 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.

January 18, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No