

226-A

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

CWP-20445-2017 (O&M)

Date of decision : 17.01.2023

Kuldeep

...Petitioner

Versus

Board of School Education, Haryana, Bhiwani through its Secretary

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ashok K. Sharma, (Bhana), Advocate for the petitioner.

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 mandamus directing the respondent to consider the case of the petitioner and to direct the respondent to correct the name and date of birth of the petitioner as “Kuldeep” and “06.09.1994” in the Middle, Secondary and Senior Secondary Certificates, in which, it has been wrongly mentioned.

Learned counsel for the petitioner has submitted that the name and date of birth of the petitioner as mentioned in the Birth Certificate is “Kuldeep” and “06.09.1994” but in the Middle, Secondary and Senior Secondary Examination Certificates, it has wrongly been mentioned as “Deepak” and date of birth has been wrongly mentioned as “22.07.1994”.

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 law laid down in the abovesaid judgment would also apply in the case of Board of School Education, Haryana, Bhiwani through its Secretary.

Learned counsel for the petitioner has prayed that he may be permitted to file a detailed representation, keeping in view the parameters laid down in the abovesaid judgment and further prays that the respondent be directed to consider the said representation and pass a speaking order within a period of four weeks from the date on which the said representation is received by the respondent.

Keeping in view the abovesaid 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).
- 2) Respondent is 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.

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

17.01.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No