

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-20917-2019

Date of decision : 23.02.2023

Tanurag Sharma

... Petitioner

Versus

National Institute of Open Schooling and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr.Harsh Aggarwal, Advocate for the respondents.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition 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 18/23.04.2019 (Annexure P-6) and further issue a writ of mandamus directing the respondents to correct the name and date of birth of the petitioner in the certificates dated 20.09.2010 and 04.06.2013 (Annexures P-1 and P-2) with regard to the name and date of birth as the date of birth of the petitioner is 19.09.1993 and not 19.09.1994 and name be corrected to Aryan Sharma from Tanurag Sharma.

Learned counsel for the petitioner has submitted that after passing of the impugned order dated 18/23.04.2019, 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

Supreme Court and thus, in view of the subsequent judgment, the respondents would have to reconsider the matter on a representation to be made by the petitioner after annexing certified copies of all the relevant documents, in accordance with the judgment passed by the Hon'ble Supreme Court and pass a speaking order within a period of six weeks from the date the said representation is received by the respondents and the said reconsideration is to be done dehors of the observation made in the impugned order and pass a speaking order

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

Keeping in view the abovesaid facts and circumstances, letter/order dated 18/23.04.2019 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). Learned counsel for the petitioner has stated that the petitioner would submit the said representation along with certified copies of the relevant documents 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 six weeks from the date of receipt of the said representation, in accordance with law.

(VIKAS BAHL)
JUDGE

February 23, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No