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

CWP-22246-2021

Date of decision : 31.01.2023

Bhavya @ Bhavvesh K. Kumar

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. B.S. Seemer, Advocate for respondent Nos.2 and 3-CBSE.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or direction especially a writ in the nature of certiorari for quashing of communication/letter (Annexure P-11). Further prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to carry out necessary changes in the name of the petitioner in the Matriculation Certificate and Senior School Certificate from “Bhavya” to “Bhavvesh K. Kumar”, on the basis of recommendations for correction made by respondent No.5 vide its letter dated 11.11.2020.

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.

On the asking of the Court, Mr. B.S. Seemer, Advocate, who is present in the Court, appears on behalf of respondent Nos.2 and 3-CBSE as earlier counsel Mr. Nitin Kant Setia, Advocate is stated to be no longer on the panel of CBSE and has submitted that they have no objection to the said course of action.

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). 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.

31.01.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No