

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2951-2018

Date of decision : 19.05.2023

Mohd. Saqlain minor through Talib Hussain

... Petitioner

Versus

Central Board of School Education and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: Mr.M.D. Khan, Advocate
for the petitioner.Mr.Kanan Malik, Advocate
for the respondents.**VIKAS BAHL, J.(ORAL)**

1. 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 respondent no.2 to correct the surname and date of birth of the petitioner from Saqlain Khan to Mohd. Saqlain and date of birth from 27.05.2001 to 01.06.2001 in the matriculation certificate on the basis of birth certificate and other documents.

2. 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 ***Jigyada Yadav (minor) (through Guardian/father Hari Singh) Vs. CBSE (Central Board of Secondary Education) and others*** and other connected

Supreme Court 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.

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

4. Keeping in view the abovesaid facts and circumstances, the present petition is disposed of in the following terms:-

i) 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 relevant record and would get the said representation forwarded through the school.

ii) 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.

5. Needless to mention here that it would be open to the respondents-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

(VIKAS BAHL)
JUDGE

May 19, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No