

226-C

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

CWP-4972-2017 (O&M)

Date of decision : 17.01.2023

Meena Devi

...Petitioner

Versus

National Institute of Open Schooling and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravinder Singh, Advocate for
Mr. Ish Puneet Singh, Advocate for the petitioner.

Ms. Chaynika Gautam, Advocate for
Mr. Harsh Aggarwal, Advocate for the respondents.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction directing the respondents to correct the name and date of birth of the petitioner in her secondary school examination certificate issued by the respondents.

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 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 respondent Nos.1 and 2-Institute and has prayed that the petitioner be permitted to file a detailed representation, keeping in view the parameters laid down in the abovesaid judgment and further 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.

Learned counsel appearing on behalf of respondent Nos.1 and 2 has submitted that he has 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).
- 2) Respondent Nos.1 and 2 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.

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

17.01.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No