

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(221)

CWP-8702-2017 (O&M)

Date of decision: - 16.08.2023

Balkar Singh

....Petitioner

Versus

Board of School Education, Haryana Bhiwani

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. K.K. Gupta, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)

CM-15656-CWP-2017

Present application has been filed for placing on record the
written statement on behalf of the respondent.

Application is allowed, as prayed for. Written statement filed
on behalf of the respondent is taken on record.

CWP-8702-2017

1. This writ petition has been 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 claim of the petitioner and to
direct the respondent to correct the date of birth of petitioner as
“09.07.1994” in Secondary Certificate, in which, it has been wrongly

mentioned as “10.11.1997”.

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 “**Jigyaa 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 submitted that the parameters laid down in the said judgment would also apply to respondent-Board and prays that the petitioner be permitted to file a 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 six weeks from the date the said representation is received by the respondent.

3. Learned counsel appearing on behalf of respondent-Board has stated that the respondent-Board has no objection to the said course of action.

4. Keeping in view the above-said 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 **Jigyaa 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.

- 2) Respondent-Board is 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 respondent-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

6. Pending application, if any, stands disposed of in view of the above.

August 16, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No