

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-22564-2022

Date of decision : 20.02.2023

Rishu Saini

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Mayank Sharma, Advocate for the petitioner.

Mr.Mukesh Tomar, Advocate for
Mr.Nitin Kumar Setia, Advocate and
Mr.Harmandeep Singh, Advocate
for respondent no.1.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus directing respondent no.1 to correct the mother's as well as father's name of the petitioner by mentioning the complete details of both the parents i.e., “Kusum Devi” and Dharminder Kumar” instead of “Kusum” and “Dharmender” in secondary school mark sheet for the year 2019 and the senior secondary school mark sheet for the year 2021.

Learned counsel for the petitioner has submitted that in the birth certificate and other public documents, the name of the parents of the petitioner has been correctly mentioned. It is further 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 and parameters laid down in the said judgment would also apply to respondents no.2 and 3-Board 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 six weeks from the date the said representation is received by the respondents.

Learned counsel appearing for the respondent no.1 has stated 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 ***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 20, 2023

Davinder Kumar