

256

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

CWP-24181-2022

Date of decision : 27.01.2023

Harnek Singh

...Petitioner

Versus

Board of School Education, Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. S.S. Nain, Advocate for the petitioner.

Mr. Viresh Dahiya, Advocate for  
Mr. Deepak Balyan, Advocate for respondent No.1.

Mr. Rajneesh Chadwal, AAG, Haryana  
for respondent Nos.2 to 4.

\*\*\*\*

**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 in the nature of mandamus directing the respondents to carry out the necessary corrections in the mother's name of the petitioner from 'Mamta' to 'Mamta Devi' in the record of the School as well as the marks-sheet of Class 10<sup>th</sup> & 12<sup>th</sup> (Annexures P-2 and P-3).

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 also submitted that the principle as laid down by the Hon'ble Supreme Court in the abovesaid judgment would also apply to respondent No.1-Board 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 four weeks from the date the said representation is received by the respondents.

Learned counsel appearing on behalf of respondent No.1-Board 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 school/relevant 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.

**27.01.2023**  
*Pawan*

**(VIKAS BAHL)**  
**JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**