

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

(215)

CWP-27013-2022

Date of decision: - 03.07.2023

Isha**....Petitioner****Versus****Union of India and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Dushyant Rana, Advocate
for the petitioner.

Mr. B.S. Seemar, Advocate
for respondents No.2 and 3.

Ms. Kinshu Mittal, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 02.08.2022 (Annexure P-10) vide which respondent No.3 has rejected the representation made by the petitioner dated 07.10.2021 (Annexure P-3) with respect to carrying out the correction in the date of birth of the petitioner in detailed mark sheet certificate of Class 10th issued by the CBSE.
2. Learned counsel appearing on behalf of respondents No.2 and 3-Board has submitted that the date of birth of a candidate can be changed only in the two following circumstances:-

- (i) In case the date of birth is to be brought in conformity with the school record; or,
- (ii) After a civil Court decree in case the school record reflects a contrary date of birth to the date of birth which is sought to be incorporated.

3. Learned counsel for the petitioner has submitted that in view of the objection taken by respondents No.2 and 3, he seeks to withdraw the present writ petition with liberty to institute a civil suit in accordance with law and to apply afresh to CBSE in case the civil suit filed by the petitioner with respect to declaration of her date of birth is decreed.

4. Dismissed as withdrawn with the aforesaid liberty.

July 03, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No