

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(113)

CWP-4180-2024

Date of decision: - 26.02.2024

Sukhmanpreet Kaur

....Petitioner

Versus

Punjab School Education Board and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Dr. Harleen Kaur, Advocate,
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondent to correct the father's name of the petitioner in Senior Secondary (Class 12th) Certificate from “Manjit Singh Bajwa” to “Manjit Singh”.

2. Learned counsel for the petitioner has submitted that the 10th Class Certificate of the petitioner has already been rectified and has prayed that although the petitioner has already given a representation dated 11.11.2023 (Annexure P-7), but certain averments with respect to corruption etc. have been made, which are not required to be made in the said representation. It is further submitted that the petitioner would give a fresh representation excluding the said averments and would make a simple prayer for carrying out the rectification and has submitted that in

case of the petitioner doing so, respondent No.1 be directed to consider the said representation, in accordance with law and also in accordance with the law laid down 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*, in a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has pointed out that in case a fresh representation with a simpliciter prayer for correcting the father's name of the petitioner in the 12th Class Certificate is filed without the petitioner making the said allegations, the same would be considered by the competent authority of respondent No.1 in accordance with law within a period of six weeks from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a fresh representation to the competent authority of respondent No.1 within a period of two weeks from today.
- (ii) In case any such fresh representation is filed by the petitioner, competent authority of respondent No.1 would consider the same within a period of six weeks from the date of submission of the said representation and in case after considering the said representation, the competent authority of respondent No.1 is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to her as expeditiously as possible. In case the competent authority of respondent No.1 is of the view that the pleas raised by the petitioner are meritless, then, a

speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent No.1 would consider and decide the matter independently, in accordance with law.

February 26, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No