

CWP-13919-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(123)

CWP-13919-2024

Date of decision: - 31.05.2024

Kulwinder Singh

....Petitioner

Versus

Central Board of Secondary Education and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Satvir Singh, Advocate
for the petitioner. (Through VC).

Mr. Sanjiv Ghai, Advocate, and
Mr. Rohit Kaushik, Advocate
for respondent No.3-UT Chandigarh.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of certiorari for quashing of impugned order dated 08.08.2018 (Annexure P-10) passed by respondent No.2 vide which correction of father's name of the petitioner in the school certificate has been declined.

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 “**Jigya Yadav (minor) (through Guardian/father**



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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 prayed that the representation dated 20.05.2024 (Annexure P-11) filed by the petitioner be considered by the competent authority of respondent No.1-Board and the law down in the abovesaid judgment be also considered while passing the final order. It is further submitted that earlier rejection dated 08.08.2018 (Annexure P-10) was cryptic and was prior to the passing of the said judgment and thus, the matter needs to be reconsidered de hors the observations made in the order dated 08.08.2018.

3. Keeping in view the above-said facts and circumstances, the impugned order dated 08.08.2018 (Annexure P-10) is set aside and the present Civil Writ Petition is disposed of in the following terms:-

- i) 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 **Jigya 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.
- ii) Respondent No.1-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, after taking into consideration the relevant law and regulations.

4. Needless to mention here that it would be open to respondent



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No.1-Board to require the petitioner or the school to submit any document which would be required for finally considering the case of the petitioner.

May 31, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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