

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16220 of 2023

=====

Aviral Shashwat S/o Arun Kumar Ojha, Resident of 59/C Road No.-6, East Patel Nagar, Patna-23, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. Central Board of Secondary Education New Delhi, through the Secretary.
2. The Regional Director, C.B.S.E., Sheikhpura, Patna.
3. The Principal, Litera Valley School, Bhagwat Nagar, Naya Tola, Kumhrar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Niranjana Kumar Mr. Akshay Kumar Mr. Subham Singh Mr. Bipin Yadav Mr. Surendra Mishra
For the Respondent/s	:	Mr. Vinay Krishna Tripathy

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 26-06-2025 1. The petitioner has filed the present writ application for setting aside the letter no. 6/21/CN/2022, dated 16.06.2022, by which the request for change of his name has been refused.
2. The name of the petitioner in the school records was Arnav Ojha and the petitioner changed his name to Aviral Shashwat. He appeared in the Class 10th Board Examination with the name of Aviral Shashwat. After passing the Class 10th examination and prior to passing of Class 12th examination, the petitioner started taking steps again for change of his name from Aviral Shashwat to the original name Arnav Ojha.
3. Learned counsel for the petitioner submits that the



petitioner has right under the Constitution to change his name, which is the identity of the petitioner. The Central Board of Secondary Education has arbitrarily refused the petitioner to change his name from Aviral Shashwat to Arnav Ojha. He relied upon the judgment of Allahabad High Court passed in Civil Writ No. 3671 of 2022 in support of his argument.

4. On the other hand, learned counsel for the Central Board of Secondary Education relied upon the judgment passed by the Supreme Court, report in **(2021) 7 SCC 353**, in the case of **Jigya Yadav v. Central Board of Secondary Education and Ors.**, and submits that the Supreme Court has held that there is a distinction between correction and change of name. The petitioner has acquired the new name from Arnav Ojha to Aviral Shashwat and now he again wants to change his name from Aviral Shashwat to Arnav Ojha. As such, the request of the petitioner can be entertained by the CBSE upon prior permission/declaration by the court of law in that regard and publication in the Official Gazette including surrender/return of original certificate (or duplicate original certificate, as the case may be) issued by the CBSE and upon payment of prescribed fees.

5. Since, the petitioner has not submitted any



declaration by court of law regarding change of name including publication in the Official Gazette, as such, the petitioner is at liberty to file a fresh request/application before the CBSE for change of name from Aviral Shashwat to the acquired name by choice i.e. Arnav Ojha along with necessary documents as per the guidelines laid down in the case of Jigya Yadav (Supra) before the Regional Officer, Central Board of Secondary Education, Patna, who may process the application for change of name of the petitioner from Aviral Shashwat to Arnav Ojha.

6. Having heard the submission advanced by the parties and considering the fact that the petitioner seeks to change his name entirely by choice from Aviral Shashwat to Arnav Ojha, the present writ application is disposed with liberty to the petitioner to obtain a declaration of his acquired name by a court of law for change of name, publication in the Official Gazette and fulfill other requisites as per the guidelines laid down in the case of Jigya Yadav (Supra) and submit a fresh request along with necessary documents before the Regional Office, Central Board of Secondary Education, Patna.

7. If such an application/request is filed, the Regional Office, CBSE, Patna, shall consider the same in accordance with law and in the light of judgment passed in the case of Jigya



Yadav (Supra).

8. With the aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J)

ashwani/-

U			
---	--	--	--

