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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 179/2026**
MASTER RIYANSH DANG THROUGH HIS MOTHER MRS.
ASTHA DANGPetitioner

Through: Mr. Kunal Mittal and Mr.Sachin
Aggarwal, Advs.

versus

CENTRAL BOARD OF SECONDARY EDUCATION (CBSE) &
ANR.Respondents

Through: Mr. Sanjay Khanna, SC with Ms.
Pragya Bhushan, Ms. Vilakshana
Dayma, Mr. Saurabh Pandey & Ms.
Anshu Kumari, Advs. for CBSE.
Mr. Ritesh Chawla & Mr. Mohit
Aggarwal, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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13.04.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers :-

“A. Allow the present writ petition;

B. Pass an appropriate writ, order or direction thereby directing the Respondent No.1 / Central Board of Secondary Education (CBSE) to make necessary correction with respect to the Father's Name of the Petitioner from Astha Dang (incorrect name) to Rajat Sharma (Correct Name) in all CBSE records including all marksheets and certificates issued by the CBSE to the Petitioner;



C. Pass an appropriate writ, order or direction thereby directing the Respondent / Central Board of Secondary Education (CBSE) to Issue fresh marksheet(s) and certificate(s) to the Petitioner with the correct Father's Name of the Petitioner as Rajat Sharma;

D. Pass such further order(s) and/or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice."

2. The brief facts of the case are that the petitioner namely Master Riyansh Dang was born out of the wedlock of Mrs. Astha Sehgal and Mr. Krishan Sehgal on 08.01.2010.

3. The mother and the biological father of the petitioner filed a petition seeking divorce by mutual consent which was duly granted by the concern family court vide order dated 16.12.2017 passed in **HMA No. 319 of 2017** titled **Astha Dang alias Astha Sehgal and Krishan Sehgal**. The custody of the minor child, Master Riyansh, remained with the mother, i.e. Ms. Astha Dang.

4. The mother of the petitioner remarried Sh. Rajat Sharma on 16.01.2021 which was duly registered on 24.03.2021. The Class X Marksheet-cum-certificate of the petitioner issued by respondent CBSE in 2025, shows the name of Ms. Astha Dang in the column for father's /guardian's name. Further, the mother made an application, way back in 2024, to School to correct the name of the father/guardian of the petitioner from Astha Dang to Mr. Rajat Sharma. The same was rejected by CBSE. Hence, the present petition.

5. Mr. Khanna, learned counsel appearing for CBSE, states that in the



present case the mother of the petitioner has filed two adoption deeds, giving the child in adoption, out of which one is dated 02.05.2023, wherein Rajat Sharma has adopted the minor child. The same is in contradistinction to another adoption deed dated 18.09.2025, wherein again the child has been adopted by Mr. Rajat Sharma.

6. In view of the aforesaid fact, he states that on the date of adoption i.e. 18.09.2025, the child was more than 15 years old. In view of Section 10 of Hindu Adoption and Maintenance Act, 1956, therefore, the child could not have been given in adoption.

7. He relies on the judgment of **Miss Kamla Kumari v. Ved Prakash Gupta 2011 SCC OnLine Del 1032**, and more particularly paragraph 3 and 15 which read as under:-

“3 In the written statement it was denied that the plaintiff was the adopted daughter of deceased Joginder Nath Gupta. It was stated that the deceased was neither competent to take the plaintiff in adoption nor was she adopted.

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15 The findings in the impugned judgment call for no interference. The plaintiff being more than 15 years of age had to cross the hurdle of Section 10 of the said Act of 1956 before she could claim a valid adoption. There was no averment in the plaint that there was any custom prevailing amongst the family of the plaintiff or in the family of deceased Joginder Nath Gupta which enabled him to adopt a person more than 15 years of age. Neither had this been pleaded nor proved. The capacity of deceased Joginder Nath



Gupta to adopt was also vitiated in view of the fact that he had a living daughter at the time of alleged adoption. There was a bar under Section 11(ii) of the said Act. The photocopy of the adoption deed Ex. PW-4/1 had not been proved; it was neither attested nor registered; the original of the same had not been produced. There is no merit in the appeal.”

8. I have heard learned counsels for the parties.

9. In the present case, there is no material distinction between the adoption deed of 02.05.2023 and 18.09.2025. In both the cases, the parties to the adoption deed are the biological mother Mrs. Astha Sehgal and the step father of the child Mr. Rajat Sharma.

10. The deed of 18.09.2023 was made when the child was below 15 years and could be taken in adoption. The adoption deed of 18.09.2025 is not at variance with the adoption deed of 02.05.2023 and merely reiterates the same recitals.

11. Hence, I am of the view that the adoption deed of 18.09.2023 is the first adoption deed and the subsequent deed dated 18.09.2025 is only a reiteration of 18.09.2023 and merges into the adoption deed of 18.09.2023. Hence, the child for all the legal purposes was adopted on 18.09.2023 while he was below the age of 15 years. The judgment of **Miss Kamla Kumari (Supra)** is distinguishable as the same was a contested case, wherein the the date of adoption of the person who was adopted was in dispute and detailed evidence was led.

12. In the present case, the parties who can or could have had any locus to challenge the adoption deed, i.e. the petitioner Riyansh Dang, the petitioner's mother Ms. Astha Dang, the petitioner's biological father Mr. Krishan



Sehgal and the petitioner's adoptive father Mr. Rajat Sharma, are ad idem as to the date of adoption and there is no dispute between them as to the date of adoption. The respondent herein i.e. CBSE does not have any locus to challenge the adoption deed.

13. In this view of the matter, the writ petition is allowed and the respondent CBSE is directed to correct the name of the father of the petitioner to Mr. Rajat Sharma.

JASMEET SINGH, J

APRIL 13, 2026/NG