

(2021) 03 UK CK 0128

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 652 Of 2021

Rahul Chaube

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 17-03-2021

Acts Referred:

Citation : (2021) 03 UK CK 0128

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Kishore Rai, Jagdish Singh Bisht, Shashank Upadhyay

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. According to the petitioner, he appeared in All India Secondary Examination, 2014, conducted by Central Board of Secondary Education from Mallikarjan School Aincholi, Pithoragarh. The mark-sheet of the said examination is enclosed with the writ petition which shows that the petitioner was declared successful.

2. By means of this writ petition, petitioner has sought the following relief:-

(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no.2 to make the requisite changes in the name of the father of the petitioner and date of birth of the petitioner in 10th Marksheet of the petitioner and accordingly, thereafter issue a fresh Marksheet of the class 10th to the petitioner.

3. Shri Shashank Upadhyay, learned counsel appearing for CBSE, on instructions, submits that if the petitioner gets name of his father corrected in the school record and then gets his application for correction of his father's name sent through the concerned School, then only the CBSE shall consider petitioner's request for correction in the name of his father. He further submits that as per Rule 69.1 of Examination Byelaws, CBSE cannot permit any correction in the

date of birth, as it would amount to change in date of birth, which is impermissible.

4. Having regards to the facts and circumstances of the case, the writ petition is disposed of with liberty to the petitioner to approach the concerned school for getting necessary corrections made in the school records. If petitioner's request for correction is allowed by the concerned school, then the Principal of the concerned school shall forward petitioner's request for correction of his particulars in high school marksheet and certificate issued by the CBSE within two weeks, which shall be processed and decided by CBSE in accordance with law within eight weeks.