



2026:CGHC:18741

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 17 of 2026

1 - Virendra Singh Kushwaha S/o Ramashray Singh Kushwaha Aged About 28 Years R/o Govt. I.T.I. Colony G-12, Chakradhar Nagar, Raigarh, District- Raigarh (C.G.)

... **Petitioner(s)**

versus

1 - The Secretary Central Board Of Secondary Education, Delhi.

2 - The Principal G.G. English Medium School, Dhanuhardera, Medical College, Ketel Road, Raigarh, District- Raigarh (C.G.)

3 - The Regional Officer Central Board Of Secondary Education, Bhubaneswar (Odisha).

... **Respondent(s)**

(Cause Title is taken from CIS System)

For Petitioner : Mr. K. P. Sahu, Advocate

For Respondents : Mr. Ankit Singhal, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

23/04/2026

1. The petitioner has filed this writ petition seeking following reliefs:

"10.1 That, this Hon'ble Court may kindly be pleased to issue an

appropriate writ, thereby directing the respondent authorities to correct the spelling of surname of petitioner as "Kushwaha" in place of "Kushwha" incorrectly mentioned in Class-10th mark sheet of petitioner, forthwith, in accordance with law.

10.2 To kindly grant any other relief which may be deem fit in the given facts and circumstances of the instant case."

2. Facts of the case, as projected in the petition, are that the petitioner was initially admitted to Class I at Mona Modern English Medium School, Sarangarh, where his name was correctly recorded as Virendra Singh Kushwaha in the school records (Dakhil Kharij register). Thereafter, the petitioner was admitted to G.G. English Medium School, Dhanuhardera, Raigarh, which is affiliated with the Central Board of Secondary Education (CBSE), from where he passed Class X in the year 2013. It is further stated that while issuing the Class X mark sheet, a typographical error occurred, and the surname of the petitioner was incorrectly recorded as "Kushwha" instead of the correct surname "Kushwaha." The petitioner submits that such error is apparent on the face of the record and is purely clerical in nature. The mark sheet itself provides that corrections in the name, parentage, and date of birth may be carried out within a period of ten years from the date of issuance. Upon noticing the said discrepancy, the petitioner promptly approached the concerned school authorities

and submitted an application for correction of his surname. The school, in turn, forwarded the petitioner's application along with necessary documents to the competent authority, and a communication to this effect was sent to the Section Officer (Examination), CBSE on 21.03.2015. However, despite lapse of considerable time, no decision has been taken on the said application till date. It is further the case of the petitioner that he again submitted a fresh application/representation on 23.03.2019 seeking correction of his surname in the mark sheet, but the same has also remained undecided. The petitioner has made several representations thereafter, but no effective action has been taken by the respondents, thereby compelling him to approach this Court by way of the present petition.

3. Learned counsel for the petitioner submits that the error in the surname of the petitioner in the Class X mark sheet is purely typographical and inadvertent, and the same deserves to be corrected to reflect the true and correct name of the petitioner as recorded in the school admission records. It is contended that despite the petitioner having taken timely steps within the permissible period of ten years, the respondent authorities have failed to take any decision on his applications dated 21.03.2015 and 23.03.2019, which amounts to arbitrary inaction. It is further submitted that the petitioner had duly approached the concerned school immediately after noticing the mistake, and the school authorities had forwarded his application along with requisite

documents to the CBSE authorities; however, the matter has been kept pending without any justification. Such inaction, it is argued, is illegal, unreasonable, and violative of the petitioner's rights, as the incorrect surname in the mark sheet is causing serious prejudice to the petitioner in his academic and professional pursuits. Learned counsel also submits that in an identical matter concerning the petitioner's real brother, where a similar typographical mistake had occurred in the mark sheet, this Court, in W.P.(C) No. 3659/2019, vide order dated 16.10.2019, directed the respondent authorities to take appropriate steps for correction of the mark sheet, including correction in the name and other particulars, in accordance with law. It is contended that the present case stands on identical footing, and therefore, the petitioner is entitled to the same relief. It is thus prayed that appropriate directions be issued to the respondent authorities to consider and decide the petitioner's applications and to carry out necessary correction in the mark sheet by rectifying the spelling mistake in the surname of the petitioner.

4. Per contra, learned counsel appearing for the respondents opposes the submissions advanced on behalf of the petitioner and submits that the present petition is premature and not maintainable at this stage. It is contended that the petitioner has not availed the appropriate and effective remedy available under the relevant rules and guidelines of the Central Board of Secondary Education (CBSE) for correction of particulars in the

mark sheet. Learned counsel submits that as per the prescribed procedure, any request for correction in name, surname, date of birth or other particulars is required to be made through a proper application before the CBSE in the prescribed format along with requisite documents and verification from the concerned school authorities. It is argued that unless such an application is duly submitted and processed in accordance with the applicable regulations, the petitioner cannot directly invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. It is further submitted that if the petitioner submits a proper application before the competent authority of CBSE, the same shall be considered in accordance with law and applicable guidelines within a reasonable time. However, without exhausting such statutory/administrative remedy, the present petition is not liable to be entertained. Learned counsel, therefore, submits that the petitioner may be relegated to avail the appropriate remedy by filing a proper application before the CBSE authorities, and only in the event his grievance remains unredressed, he may thereafter be at liberty to approach this Court. Accordingly, it is prayed that the present petition deserves to be dismissed on the ground of availability of alternative remedy.

5. I have heard learned counsel for the parties at length and have perused the material available on record.
6. From the facts of the case, it is not in dispute that there exists a typographical error in the surname of the petitioner in his Class-

10th mark sheet, wherein the surname has been recorded as “Kushwha” instead of “Kushwaha.” It is also borne out from the record that the petitioner had approached the concerned school authorities immediately upon noticing the error and the school, in turn, forwarded the application along with relevant documents to the competent authority, i.e., the Section Officer (Examination), CBSE, vide communication dated 21.03.2015. Despite the same, no decision has been taken till date. It is further evident that the petitioner has also submitted a subsequent representation on 23.03.2019 along with supporting documents.

7. Considering the aforesaid facts and circumstances of the case, and without entering into the merits of the rival submissions, this Court deems it appropriate to dispose of the present petition with a direction to the competent authorities to consider the grievance of the petitioner.
8. Accordingly, the petition is disposed of while directing the respondent authorities to consider the case of the petitioner and pass appropriate orders in accordance with law, in light of the letter sent by the concerned Principal of the school to the Section Officer (Examination), Regional Officer, CBSE, Bhubaneswar, Odisha dated 21.03.2015, as well as other documents filed by the petitioner. The petitioner is directed to appear before the concerned authorities along with a copy of this order and all documents appended with the petition. In turn, the concerned authorities of CBSE are directed to consider the claim of the

petitioner and rectify the error, if found appropriate, strictly in accordance with law within a period of 30 days from the date of receipt of such documents.

9. With the aforesaid directions, the writ petition stands disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shayna