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HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Reserved on : 22.09.2026

Order Delivered on : 29.10.2026

WPC No. 3837 of 2023

Surabhi Yadav D/o Shri Shiv Shankar Yadav Aged About 31 Years R/o Kamlashree Apartment Sarkanda Bilaspur, District- Bilaspur, Chhattisgarh.

... Petitioner

versus

1 - Union of India Through Secretary Ministry of Human Resource Development 1, West Block, Rama Krishna Puram, New Delhi. 110066, (University Grants Commission) (Conformant of Autonomous State Upon College And Measures For Maintains of Standards In Autonomous Colleges) Regulations, 2018)

2 - University Grant Commission Through Its Secretary Bahadur Shah Zafar Marg, New Delhi, 110002

3 - State of Chhattisgarh Through Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralayay, Naya Raipur, Atal Nagar, Chhattisgarh.

4 - The Registrar Atal Bihari Vajpayee University, Old High Court Building Tikarapara, Bilaspur, Chhattisgarh, New Add. Badi Koni, Bilaspur Ratanpur Road In Front of Police Thana Bilaspur, Chhattisgarh.

5 - The Principal Government Bilasa Girls Post Graduate College (Autonomous Body), Bilaspur, Chhattisgarh.

6 - Dr. S.R. Kamlesh Principal- Government Bilasa Girls Post Graduate College, Bilaspur, Chhattisgarh.

7 - Dr. Jyoti Rani Singh (Government Representative) C/o Government Bilasa Girls Post Graduate College, Bilaspur, Chhattisgarh.

8 - Dr. M.S.K. Khokhar (Retired) (Nominated Government Representative) C/o Government Bilasa Girls Post Graduate College, Bilaspur, Chhattisgarh.

9 - Dr. Harish Kedia (Nominated Government Representative) C/o Govenment Bilasa Girls Post Grduate College, Bilaspur, Chhattisgarh.

10 - Dr. H.S. Hota (University Representative) C/o Through Registrar-Atal Bihari Vajpayee University, Old High Court Building, Tikarapara, Bilaspur, Chhattisgarh.

11 - Dr. V.K. Sharma (College Representative) C/o Government Bilasa Girls Post Graduate College, Bilaspur, Chhattisgarh.

--- Respondents

(Cause-title taken from Case Information System)

For Petitioner	**:**	Mr. Avinash K. Mishra, Advocate
For Respondent No.2	**:**	Mr. Jitendra Nath Nande, Advocate
For State/Respondents No.3 & 5	**:**	Dr. Arham Siddiqui, Panel Lawyer
For Respondent No.4	**:**	Dr. Sudeep Agrawal, Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

CAV Order

1. By filing the present petition, the petitioner calls in question the legality, validity and propriety of the resolution dated 06.03.2023 (Annexure P/1) issued by respondent Nos.5 to 11, styled as the "Governing Body" of respondent No.5-Institution, whereby the petitioner's request for restoration/correction of her name and identity in the academic records has been rejected, despite the

undisputed documentary record, the judgment and decree dated 24.02.2022 passed by the learned Principal Judge, Family Court, Bilaspur, and the earlier order dated 03.11.2022 passed by the Co-ordinate Bench of this Court in W.P.(C) No.2521/2022. The petitioner also calls in question the consequential inaction of the respondent authorities in correcting and issuing her academic documents in her legally restored original name, thereby seriously prejudicing her prospects of employment and livelihood. The petitioner has sought for following reliefs:-

> "*10.1 The Hon'ble Court may kindly be pleased to direct the respondent no. 5 to prepare and put the desire documents/mark sheet/degree/ diploma with their seal and signature before the respondent no. 4, the respondent no. 4 may kindly be also direct to put their endorsement and issue the same without wasting any further time.*
>
> *10.2 This Hon'ble Court may kindly be pleased to direct the respondent no. 1 and 2 to reconsider the Recognition of institution of respondent no. 5 in the light of grounds mentioned in this petition, particularly in ground urge in para 9.3 and 9.6.*
>
> *10.3 This Hon'ble Court may kindly be pleased to issue structure against the respondent no. 3 for his failure in administration upon respondent no. 4 and 5.*
>
> *10.4 This Hon'ble Court may kindly be pleased*

to direct the Respondent no. 1 to 3 and the Respondent no. 5 to 11 to pay compensation as deem fit by this honorable court to the petitioner either independently or jointly within stipulated period towards her harassment and spoil of carrier.

10.5 That in the light of the averment made above the respondent no. 3 may kindly be direct to initiate suitable departmental proceedings/action against respondent no. 5 to 11.

10.6 That, the Hon'ble Court may kindly be pleased to grant any other relief, as if may deem fit and appropriate.

10.7 Cost of the petition may also be given."

2. Brief facts of the case, in a nutshell are that the petitioner is a permanent resident of Bilaspur and belongs to the "Other Backward Class", possessing duly issued and verified caste and domicile certificates from the competent authorities. She completed her High School Examination in the year 2009 and Higher Secondary Examination in March, 2011, in which her name was consistently recorded as "Surabhi Yadav, D/o Shri Shiv Shankar Yadav", with her mother's name recorded as Smt. Sulekha Yadav. On 12.04.2012, the petitioner got married to Shri Rajik Ahmed Ansari according to Muslim rites and customs, whereafter, as a consequence of her marriage and matrimonial circumstances, she came to be known as Suhana Ansari.

Thereafter, in the year 2013, she obtained admission in respondent No.5-Institution, an autonomous institution recognized by the competent authorities and affiliated to respondent No.4-University. She thereafter successfully completed B.Sc. (Home Science) during 2013-16, M.Sc. (Home Science – Human Development) during 2016-17 and Post Graduate Diploma in Guidance and Counselling during 2018-19.

3. During the period of her studies from 2013 to 2019, the petitioner was a regular student of respondent No.5 and all her academic records, including the marksheets and degree certificates relating to her B.Sc. and M.Sc. courses, were issued in the name of “Smt. Suhana Ansari, W/o Rajik Ahmed Ansari”, while her mother’s name was reflected separately. However, in the Post Graduate Diploma certificate issued in the year 2019, respondent No.5 made wholly inconsistent and erroneous entries, describing the petitioner as “Ku. Suhana Ansari, Father/Husband of Rajik Ahmed Ansari”, while simultaneously mentioning the name of her biological mother, Smt. Sulekha. Thus, even according to the records of respondent No.5 itself, the petitioner’s identity was recorded differently at different stages, without any lawful basis or consistent procedure.

4. Unfortunately, the petitioner’s matrimonial relationship did not subsist and, by judgment and decree dated 24.02.2022 passed by the learned Principal Judge, Family Court, Bilaspur in Civil Suit

No.447-A/2021, her marriage dated 12.04.2012 with Shri Rajik Ahmed Ansari was declared nullified. Consequent upon the said judicial declaration and restoration of her status and identity, the petitioner resumed her original name and identity as “Surabhi Yadav, D/o Shri Shiv Shankar Yadav” in her Aadhaar Card, caste certificate, domicile certificate, bank records and other governmental documents. Thereafter, being a qualified person and seeking employment for securing her future and livelihood, she applied for various Government posts; however, the existence of inconsistent names in her educational records became a serious impediment and, in certain instances, resulted in rejection of her candidature at the threshold.

5. Having no effective remedy, the petitioner approached respondent authorities and submitted applications dated 17.05.2022 and 20.05.2022 seeking correction/restoration of her name in the academic records. Upon failure of the authorities to take appropriate action, she was constrained to approach the Court by filing W.P.(C) No.2521/2022, wherein this Court, by order dated 03.11.2022, directed the petitioner to submit a detailed representation along with the relevant documents and further directed respondent No.4 to decide the same in accordance with law within the stipulated period. Pursuant thereto, the petitioner submitted her detailed representation and respondent No.4, by communication dated 24.11.2022, directed respondent No.5 to examine the matter and take necessary action. However, instead

of resolving the issue on the basis of the petitioner's undisputed documents and the decree of the competent Family Court, respondent No.5 constituted/relied upon the so-called "Governing Body", which ultimately rejected the petitioner's claim by resolution dated 06.03.2023, now impugned in the present petition.

6. The petitioner contends that the impugned resolution is wholly arbitrary, contrary to the documentary record and beyond the jurisdiction vested in the Governing Body under the applicable UGC Regulations governing autonomous colleges. The petitioner's grievance is not founded upon any claim for creation of a new identity, but upon correction and restoration of her original identity, which stands established by her pre-marriage educational records, Government-issued identity documents and the judgment and decree of the competent Family Court. The impugned action has caused continuing prejudice to the petitioner's educational and employment prospects and has effectively deprived her of a fair opportunity to secure her livelihood. The petitioner has, therefore, invoked the extraordinary jurisdiction of this Court seeking appropriate directions for correction and issuance of her academic documents, consequential action against the erring authorities and such other reliefs as may be warranted in the facts and circumstances of the case.

7. Mr. Avinash K. Mishra, learned counsel appearing for the petitioner, would submit that the impugned resolution dated

06.03.2023 passed by the so-called Governing Body of respondent No.5-Institution is wholly arbitrary, illegal, contrary to the undisputed documentary record and unsustainable in law. Learned counsel would submit that the controversy in the present case is essentially confined to correction/restoration of the petitioner's identity in her academic records, and there is no dispute whatsoever with regard to the identity of the petitioner. The petitioner had originally been recorded in her school and educational records as "Surabhi Yadav, D/o Shri Shiv Shankar Yadav", and the said identity is duly borne out from her High School and Higher Secondary School certificates. It is submitted that, after her marriage on 12.04.2012, her name came to be changed in her matrimonial circumstances to "Suhana Ansari", and respondent No.5 itself accepted the said change and permitted the petitioner to pursue her higher studies under the changed name. Thus, the respondent-Institution cannot, after having accepted and acted upon the changed name for several years, now take an inconsistent stand and refuse to restore the petitioner's original identity when the matrimonial relationship itself has subsequently been brought to an end by a decree of the competent Family Court.

8. Learned counsel would further submit that the petitioner's case is fortified by the judgment and decree dated 24.02.2022 passed by the learned Principal Judge, Family Court, Bilaspur, pursuant to which the matrimonial relationship of the petitioner with Shri Rajik

Ahmed Ansari stood legally brought to an end. Consequent upon the said judicial determination, the petitioner resumed her original identity as “Surabhi Yadav, D/o Shri Shiv Shankar Yadav”, which has thereafter been duly reflected in her Aadhaar Card, domicile certificate, caste certificate, bank records and other Government documents. Learned counsel would submit that the petitioner thereafter approached the concerned educational authorities with a legitimate request that her academic records also be brought in conformity with her legally restored identity. The petitioner initially submitted representations dated 17.05.2022 and 20.05.2022, but despite the same, no effective action was taken, compelling her to approach the Court in W.P.(C) No.2521/2022. The Co-ordinate Bench of this Court, by order dated 03.11.2022, directed consideration of her representation in accordance with law. Pursuant thereto, the petitioner submitted a detailed representation before the competent University authority, which forwarded the matter to respondent No.5; however, instead of resolving the issue in accordance with the documents and the direction of this Court, the respondent authorities ultimately rejected the petitioner’s claim by the impugned resolution dated 06.03.2023.

9. Learned counsel would then submit that the plea raised by the respondents regarding availability of an alternative remedy before the Students’ Grievance Redressal Committee of the University Grants Commission is wholly misconceived and cannot defeat the

maintainability of the present writ petition. It is submitted that the respondents have placed reliance upon the UGC notification dated 11.04.2023 and the University Grants Commission (Redress of Grievances of Students) Regulations, 2023 (for short, '2023 Regulations') ; however, the petitioner had already completed her courses much prior thereto, having been admitted to respondent No.5-Institution in the year 2013-14 and having completed her B.Sc., M.Sc. and Post Graduate Diploma courses during the subsequent academic sessions. Learned counsel would contend that neither the notification dated 11.04.2023 nor the Regulations relied upon by the respondents contain any provision giving them retrospective operation so as to create an alternative statutory remedy in respect of a grievance arising out of academic records and events which had already occurred several years prior thereto. Therefore, the respondents cannot rely upon a subsequent regulatory mechanism to non-suit the petitioner in the present proceedings.

10. Learned counsel would further contend that, even otherwise, the grievance raised by the petitioner does not fall within the categories of grievances contemplated under the said UGC mechanism so as to compel her to avail such alternative remedy. Drawing attention to the relevant provisions defining the nature of student grievances, learned counsel would submit that the notified categories principally relate to matters such as admission or refusal of admission, irregularity in admission, withholding of

documents, demand of money, reservation, scholarship, conduct of examinations, amenities, refund of fees, discrimination, denial of quality education, harassment or victimisation and decisions contrary to statutes, ordinances, rules, regulations or guidelines. According to learned counsel, the petitioner's case is materially different, inasmuch as she is seeking correction/restoration of her own name and identity in academic certificates on the basis of pre-existing educational records, public documents and a decree passed by a competent court, coupled with the subsequent Government Gazette notification recognising the change/restoration of her name. It is therefore submitted that the alternative remedy relied upon by the respondents is neither efficacious nor applicable to the peculiar grievance raised in the present case.

11. Learned counsel would also assail the reasoning adopted by the respondent-Institution in the impugned resolution on its own merits. It is submitted that respondent No.5 had itself accepted the petitioner's changed name at the time of her admission and throughout the course of her studies and had issued her various academic documents in the name of "Suhana Ansari, W/o Rajik Ahmed Ansari". Having done so, respondent No.5 cannot now contend that the petitioner's request for restoration of her original name is impermissible. More importantly, learned counsel points out that the Post Graduate Diploma certificate issued by respondent No.5 contains an inherently contradictory and

erroneous description of the petitioner, wherein she has been shown as “Ku. Suhana Ansari, Husband/Father of Rajik Ahmed Ansari”, though Rajik Ahmed Ansari was in fact her husband and Smt. Sulekha was her biological mother. Thus, the very records relied upon by the respondent-Institution demonstrate that the mistake in the academic record is attributable to the Institution itself. Learned counsel submits that the petitioner cannot be made to suffer throughout her life on account of an erroneous entry made by the educational authority, particularly when her true identity is established by contemporaneous records and official documents.

12. Placing reliance upon the decision of the Hon’ble Supreme Court in ***Jigya Yadav (Minor) through Guardian/Father Hari Singh Yadav v. Central Board of Secondary Education, (2021) 7 SCC 535,*** learned counsel would submit that the Supreme Court, while considering the question of change/correction of particulars in educational certificates, has recognised the distinction between correction of particulars on the basis of public documents and a subsequent change of name by choice. Learned counsel would particularly rely upon paragraph 194 and the directions issued therein, wherein the Hon’ble Supreme Court has held that where a request for change in the educational certificate is sought to be made consistent with public documents such as a birth certificate, Aadhaar card, election card, etc., the educational authority may entertain such request, subject to reasonable procedural

safeguards such as affidavit, prescribed fee, public notice or publication in the Official Gazette, as may be applicable. Learned counsel would submit that the ratio of the said judgment squarely supports the petitioner's claim, since her request is not founded upon a mere assertion or an afterthought but is supported by her earlier educational records, Government-issued identity documents, the judgment and decree of the competent Family Court and the Government Gazette notification recording her name as "Surabhi Yadav".

13. It is lastly submitted by learned counsel that the respondents, being public authorities and educational institutions governed by statutory and regulatory requirements, cannot act contrary to the official records and notifications issued by the competent Government authorities. Learned counsel would submit that the State Government itself issued notification dated 28.04.2023 recognising the petitioner's name as "Surabhi Yadav", and the respondent authorities are bound to take cognizance of such official declaration rather than perpetuate an inconsistent identity in the petitioner's academic certificates. It is further submitted that the back side of the marksheets and certificates issued by the respondent-Institution itself provides a mechanism for correction of errors in marksheets, including correction on payment of the prescribed charges after expiry of the stipulated period. Therefore, even on the Institution's own stated procedure, there was no absolute prohibition against correction of the petitioner's academic

records. Learned counsel would submit that the impugned resolution, instead of facilitating correction of an apparent and demonstrable error and bringing the academic records in conformity with the petitioner's legally recognised identity, has resulted in grave prejudice to her, particularly as she is a qualified person seeking employment and her inconsistent academic identity has the potential to obstruct her candidature for public employment. It is, therefore, urged that the impugned resolution dated 06.03.2023 be quashed and the respondents be directed to correct and issue the petitioner's academic records in accordance with her legally established identity and the applicable law.

14. On the other hand, Mr. Jitendra Nath Nande, learned counsel appearing for respondent No.2-University Grants Commission (for short, "UGC"), would oppose the submissions advanced by learned counsel for the petitioner and submit that the UGC has been constituted under the University Grants Commission Act, 1956, which was enacted with the object of making provisions for coordination and determination of standards in universities and for matters connected therewith. Learned counsel would submit that under the statutory scheme of the UGC Act, the Commission has been entrusted with the duty to take such steps as it may deem necessary for the promotion and coordination of university education and for determination and maintenance of standards of teaching, examination and research. It is further submitted that Section 26 of the UGC Act confers upon the Commission the

statutory power to frame regulations in respect of the matters enumerated therein and, therefore, the regulations framed by the Commission in exercise of its statutory powers are binding upon the institutions governed by the regulatory framework of higher education. According to learned counsel, the UGC is not the authority which has issued the impugned resolution against the petitioner and, therefore, its role in the present proceedings is only regulatory in nature.

15. Learned counsel would further submit that respondent No.2 has been impleaded as a formal party and is not a contesting respondent in the present proceedings. It is contended that no substantive relief has been sought against the UGC with respect to the petitioner's academic records or the impugned resolution dated 06.03.2023. The actual grievance of the petitioner, according to learned counsel, is against respondent No.5-Institution and the concerned University authorities, who are responsible for maintenance and correction of the petitioner's academic records. Therefore, the UGC cannot be held responsible for any alleged irregularity or discrepancy committed by respondent No.5 in issuing the petitioner's marksheets, degree or diploma certificates. Learned counsel would submit that merely because the UGC has been impleaded as a party, no liability can be fastened upon it in the absence of any specific statutory or administrative act attributable to the Commission.

16. Learned counsel would next submit that the writ petition is liable to be dismissed on the ground of availability of an efficacious alternative remedy under the 2023 Regulations. It is submitted that the aforesaid regulatory mechanism has been introduced with the object of providing an appropriate forum for redressal of grievances of students in higher educational institutions and for resolving difficulties faced by students in such institutions. Learned counsel would contend that if the petitioner is aggrieved by any decision of the educational institution which, according to her, is contrary to the applicable statutes, ordinances, rules, regulations or guidelines, she has an appropriate remedy under the grievance redressal mechanism prescribed by the UGC. It is, therefore, submitted that instead of directly invoking the extraordinary writ jurisdiction of this Court, the petitioner ought to have approached the competent grievance redressal forum constituted under the 2023 Regulations. On this ground alone, according to learned counsel, the present petition deserves to be dismissed or the petitioner ought to be relegated to the statutory/regulatory alternative remedy available to her.

17. Learned counsel would further submit that the UGC has, in fact, taken steps to facilitate resolution of the petitioner’s grievance. He would draw attention to the communication dated 02.12.2023 issued by respondent No.2 to the Registrar, Atal Bihari Vajpayee Vishwavidyalaya, Bilaspur, whereby the University was requested to take appropriate steps in the light of the order dated 03.11.2022

passed by the Co-ordinate Bench of this Court in W.P.(C) No.2521/2022 and to resolve the grievance of the petitioner in accordance with the relevant law, rules and ordinances. It is therefore contended that the UGC has neither remained inactive nor acted against the petitioner; rather, it has already communicated with the concerned University and called upon it to take appropriate action in accordance with law. Thus, there is no occasion to issue any further direction against respondent No.2 in the present proceedings. Learned counsel would submit that the petitioner cannot seek any adverse order against the UGC when the Commission itself has already directed the concerned University to examine and resolve the grievance in accordance with law.

18. Learned counsel would also rely upon the judicial precedents dealing with alteration or change of names in educational records. Referring to the judgment of the Hon'ble Supreme Court in ***Board of Secondary Education of Assam v. Md. Sarifuz Zaman, 2003 Supp (6) SCR 1273***, as followed by this Court in ***Anup Kumar Soni v. State of Chhattisgarh & Others, W.P.(C) No.1612/2015,*** learned counsel would submit that a person does not possess an indefeasible or absolute right to seek alteration of his or her name in academic records. According to learned counsel, academic certificates and educational records are maintained in accordance with the applicable rules and regulations, and any alteration therein must necessarily conform to the procedure prescribed by

the competent educational authority. It is therefore submitted that the petitioner cannot claim correction of her academic records as a matter of absolute right merely on the basis of her subsequent change or restoration of name, particularly when such correction is sought after considerable lapse of time and after completion of the academic courses.

19. Learned counsel would further submit that the reliefs sought by the petitioner against respondent Nos.1 and 2 are wholly misconceived. Drawing attention to the prayer clause, it is submitted that the petitioner has sought a direction to respondent Nos.1 and 2 to reconsider the recognition of respondent No.5-Institution in the light of the allegations made in the writ petition. According to learned counsel, the question of recognition of the Institution is entirely distinct from the petitioner's individual grievance concerning correction of her name in academic records. Even assuming, without admitting, that any irregularity has occurred in the petitioner's academic documents, such alleged irregularity cannot constitute a ground for reconsideration or cancellation of the recognition granted to the Institution. Learned counsel would, therefore, submit that the prayer seeking reconsideration of the recognition of respondent No.5 is wholly unwarranted, uncalled for and beyond the scope of the controversy involved in the present writ petition.

20. Learned counsel would lastly submit that the prayer seeking

compensation from respondent Nos.1 to 3 and 5 to 11 is equally unsustainable insofar as respondent No.2 is concerned. It is contended that the UGC neither issued the academic certificates in question nor passed the impugned resolution dated 06.03.2023 and, therefore, no act of omission or commission giving rise to any claim for compensation can be attributed to respondent No.2. Learned counsel would submit that, being essentially a formal and regulatory party, the UGC cannot be saddled with any liability for the alleged harassment, loss of employment opportunity or other consequences pleaded by the petitioner. It is further submitted that since the answering respondent is not contesting the factual controversy between the petitioner and the concerned educational authorities, it has consciously refrained from filing a detailed para-wise reply, while reserving its right to place an appropriate response on record if circumstances so require. Learned counsel would, therefore, pray that the writ petition, insofar as the reliefs sought against respondent No.2 are concerned, be dismissed and respondent No.2 be discharged from any liability in the matter.

21. Dr. Arham Siddiqui, learned counsel appearing for respondent Nos.3 and 5/State, would oppose the submissions advanced by learned counsel for the petitioner and submit that the present petition, as framed, is wholly misconceived and does not disclose infringement of any legally enforceable right of the petitioner so as to warrant exercise of the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. Learned counsel

would submit that the petitioner is essentially aggrieved by the resolution dated 06.03.2023 passed by the Governing Body of the autonomous institution, whereby her request for restoration of her name in the academic records has been declined. According to learned counsel, the decision has been taken by the competent body after considering the relevant material and in accordance with the rules and regulations governing the autonomous institution. It is, therefore, contended that no jurisdictional error, perversity, arbitrariness or violation of any statutory provision has been demonstrated by the petitioner which may justify interference by this Court in exercise of its writ jurisdiction.

22. Learned counsel would further submit that respondent No.4-University, by communication dated 03.01.2023, had already clarified the position to the petitioner that there was no provision under the applicable Bye-laws or provisions governing Atal Bihari Vajpayee Vishwavidyalaya, Bilaspur, for changing the name of the petitioner in the academic records. Since the petitioner had pursued her studies in an autonomous college, the University had specifically informed her that the matter was required to be considered by the concerned autonomous institution. It is submitted that the University, therefore, neither refused to consider the petitioner’s grievance arbitrarily nor acted contrary to law; rather, it directed the petitioner to approach the competent authority having jurisdiction over the academic records in question. Learned counsel would submit that the subsequent

decision taken by the autonomous institution was thus within the framework indicated by the University itself and cannot be characterised as an arbitrary or unauthorised exercise of power.

23. Learned counsel would then submit that the Governing Body of respondent No.5-Institution, in its meeting held on 06.03.2023, considered the petitioner's request and found that there was no enabling provision in the applicable ordinance or rules permitting alteration of the petitioner's name in the academic records or issuance of an amended marksheet. It is submitted that the petitioner had herself furnished her examination forms in the name of "Suhana Ansari, W/o Rajik Ahmed Ansari" for the Bachelor of Home Science examinations for the academic sessions 2013-14, 2014-15 and 2015-16. After she successfully appeared in and cleared the said examinations, the marksheets were accordingly issued in the same name. Likewise, while appearing for the Post Graduate Diploma in Guidance and Counselling examination in the year 2018-19, the petitioner again furnished her name as "Suhana Ansari", and the academic record was prepared and issued accordingly. Learned counsel would therefore contend that the entries in the academic records were not made unilaterally or without the petitioner's knowledge; rather, they were based upon the particulars furnished by the petitioner herself in the examination forms.

24. Learned counsel would further submit that the petitioner cannot,

after voluntarily furnishing a particular name in her examination forms and completing her courses under that name, seek issuance of fresh or amended academic certificates merely because her personal circumstances subsequently changed. According to learned counsel, the academic records of an educational institution are required to faithfully reflect the particulars furnished by the candidate at the relevant stage and cannot be altered dehors the applicable rules and regulations. It is submitted that the petitioner's subsequent restoration of her earlier name in Government identity documents or other records does not, by itself, confer an indefeasible right to compel the educational institution to alter certificates already issued in accordance with the particulars furnished by her at the time of the examinations. Learned counsel would therefore contend that the impugned resolution cannot be said to be either arbitrary or illegal merely because the petitioner seeks a different identity in her academic records at a subsequent stage.

25. Learned counsel would also submit that the reliance placed by the petitioner upon her marriage, subsequent dissolution thereof and restoration of her original name does not alter the legal position insofar as the academic certificates are concerned. It is submitted that the respondent authorities do not dispute the petitioner's personal status or the judgment and decree passed by the competent Family Court; however, such decree does not automatically authorise alteration of academic records in the

absence of a provision under the governing rules permitting such alteration. Learned counsel would contend that the question before the respondents was not whether the petitioner was entitled to use her original name for future purposes, but whether an educational institution could retrospectively alter the name recorded in certificates which had already been issued on the basis of examination forms submitted by the petitioner herself. According to learned counsel, in the absence of a specific enabling provision, the Governing Body was justified in declining the request.

26. Learned counsel would further submit that the petitioner has sought to attribute mala fides, arbitrariness and high-handedness to the respondent authorities without placing any cogent material establishing such allegations. It is submitted that the decision dated 06.03.2023 is a reasoned decision taken by the competent Governing Body after consideration of the petitioner's claim and the applicable regulatory framework. The mere fact that the decision is adverse to the petitioner cannot constitute a ground for holding that the authorities acted with mala fide intention or beyond jurisdiction. Learned counsel would therefore submit that the petitioner has failed to establish any perversity or patent illegality in the decision-making process warranting interference under Article 226 of the Constitution.

27. Learned counsel would lastly submit that the relief sought by the

petitioner for reconsideration of the recognition of respondent No.5-Institution is wholly disproportionate and has no nexus with the grievance raised in the present petition. It is contended that an individual dispute relating to correction of a name in academic records cannot, by itself, furnish any basis for reconsideration or withdrawal of the recognition granted to an autonomous educational institution. Similarly, the claim for compensation against the respondent authorities is stated to be wholly unsupported by any established wrongful act or actionable liability attributable to them. Learned counsel would submit that, after considering the petitioner's case and the material available on record, the authorities have acted within their jurisdiction and in accordance with the applicable rules. The petitioner, therefore, has failed to make out any ground for grant of the reliefs sought, and the writ petition deserves to be dismissed.

28. Dr. Sudeep Agrawal, learned counsel appearing for respondent No.4-Atal Bihari Vajpayee University, opposes the submissions advanced on behalf of the petitioner and submits that the answering respondent is essentially a formal party, as the substantive grievance of the petitioner arises out of the resolution dated 06.03.2023 passed by the Governing Body of respondent No.5-autonomous college. He submits that the petitioner had been admitted to respondent No.5 in the year 2013 and, the said institution having autonomous status, its academic, financial and general administrative affairs are governed by its own Governing

Body. Referring to the UGC notifications dated 12.02.2018 and 03.04.2023, learned counsel submits that the authority to conduct examinations, declare results and issue marksheets, migration certificates and other academic documents vests with the autonomous college, whereas the role of the parent University is substantially confined to conferring the degree in respect of the autonomous college. It is, therefore, contended that respondent No.4 has no authority to effect any change in the name recorded in the marksheets or other academic documents issued by respondent No.5, and no effective relief in that regard can be granted against the answering respondent.

29. Learned counsel further submits that respondent No.4 has, in fact, duly complied with the order dated 03.11.2022 passed by the Co-ordinate Bench of this Court in W.P.(C) No.2521/2022 by forwarding the petitioner's representation to respondent No.5 on 24.11.2022 and thereafter communicating to the petitioner, vide letter dated 03.01.2023, that the issue concerning change of name in the academic records of the autonomous college falls within the domain of respondent No.5. He further submits that, in any event, the petitioner has an efficacious alternative mechanism under the University Grants Commission (Redressal of Grievances of Students) Regulations, 2023, and therefore the writ petition, insofar as it seeks any relief against respondent No.4, is not maintainable. On these premises, learned counsel submits that no cause of action survives against respondent No.4 and the petition,

to the extent it seeks any direction against the answering respondent, deserves to be dismissed.

30. I have heard learned counsel appearing for the respective parties and have perused the pleadings, the documents placed on record, the impugned resolution dated 06.03.2023 passed by the Governing Body of respondent No.5, the communications issued by respondent No.4-University, and the other material available on record.

31. Before proceeding to consider the rival submissions, it would be apposite to notice the governing legal position, which has a direct bearing upon the controversy involved in the present writ petition.

32. The issue of correction or change of particulars in educational certificates is no longer res integra. The Supreme Court, in ***Jigya Yadav*** (supra) considered in detail the distinction between a request for “correction” and a request for “change” in educational records and examined the permissible extent to which an examining or educational authority may alter the particulars appearing in certificates already issued. The Supreme Court, while balancing the sanctity and finality of educational records with the genuine need of an individual to have his or her identity correctly reflected, rejected an approach which would render alteration of such records wholly impossible merely because the examination had already been conducted or the result had already been declared. The Court specifically held that administrative efficiency

cannot be elevated to such a level as to make it practically impossible for a person to alter his or her identity in educational certificates where the change is otherwise genuine and legally permissible.

33. In paragraph 194 of ***Jigya Yadav*** (supra), the Supreme Court specifically dealt with a request for “change” of particulars and noticed two broad situations: first, where the change is sought on the basis of public documents such as a birth certificate, Aadhaar card, election card or other authentic records, so that the educational certificate may be brought in conformity with such documents; and second, where the change is on account of an acquired name by choice at a subsequent point of time. In respect of the former category, the Supreme Court held that genuine public documents cannot simply be ignored by the educational authority and that the request for alteration may be entertained subject to reasonable safeguards, including affidavit, indemnity, prescribed fees, public notice or Gazette publication, surrender of the original certificate and an appropriate endorsement or disclaimer, wherever necessary. Thus, the law declared by the Supreme Court does not recognise an absolute prohibition against correction or change in educational certificates after declaration of the result; rather, it requires the competent authority to examine the genuineness of the request and adopt a reasonable regulatory mechanism. The Hon’ble Supreme Court has held as under :-

*“**CONCLUSION AND DIRECTIONS TO CBSE***

192. Although we have discussed the broad issues canvassed before us, in the ultimate analysis the real dispute requiring resolution is about the nature of correction or change, as the case may be, permissible to be carried by the CBSE at the instance of the student including past student. As noted earlier, broadly, two situations would arise.

193. The first is where the incumbent wants “correction” in the certificate issued by the CBSE to be made consistent with the particulars mentioned in the school records.

193.1 As we have held there is no reason for the CBSE to turn down such request or attach any precondition except reasonable period of limitation and keeping in mind the period for which the CBSE has to maintain its record under the extant regulations. While doing so, it can certainly insist for compliance of other conditions by the incumbent, such as, to file sworn affidavit making necessary declaration and to indemnify the CBSE from any claim against it by third party because of such correction. The CBSE would be justified in insisting for surrender/return of the original certificate (or duplicate original certificate, as the case may be) issued by it for replacing it with the fresh certificate to be issued after carrying out necessary corrections with caption/annotation against the changes

carried out and the date of such correction. It may retain the original entries as it is except in respect of correction of name effected in exercise of right to be forgotten. The fresh certificate may also contain disclaimer that the CBSE cannot be held responsible for the genuineness of the school records produced by the incumbent in support of the request to record correction in the original CBSE certificate. The CBSE can also insist for reasonable prescribed fees to be paid by the incumbent in lieu of administrative expenses for issuing fresh certificate.

193.2 At the same time, the CBSE cannot impose precondition of applying for correction consistent with the school records only before publication of results. Such a condition, as we have held, would be unreasonable and excessive. We repeat that if the application for recording correction is based on the school records as it obtained at the time of publication of results and issue of certificate by the CBSE, it will be open to CBSE to provide for reasonable limitation period within which the application for recording correction in certificate issued by it may be entertained by it. However, if the request for recording change is based on changed school records post the publication of results and issue of certificate by the CBSE, the candidate would be entitled to apply for recording such a change within the reasonable limitation period prescribed by the CBSE. In this situation, the

candidate cannot claim that she had no knowledge about the change recorded in the school records because such a change would occur obviously at her instance. If she makes such application for correction of the school records, she is expected to apply to the CBSE immediately after the school records are modified and which ought to be done within a reasonable time.

193.3 Indeed, it would be open to the CBSE to reject the application in the event the period for preservation of official records under the extant regulations had expired and no record of the candidate concerned is traceable or can be reconstructed. In the case of subsequent amendment of school records, that may occur due to different reasons including because of choice exercised by the candidate regarding change of name. To put it differently, request for recording of correction in the certificate issued by the CBSE to bring it in line with the school records of the incumbent need not be limited to application made prior to publication of examination results of the CBSE.

194. As regards request for "change" of particulars in the certificate issued by the CBSE, it presupposes that the particulars intended to be recorded in the CBSE certificate are not consistent with the school records. Such a request could be made in two different situations. The first is on the basis of public documents like Birth Certificate,

Aadhaar Card/Election Card, etc. and to incorporate change in the CBSE certificate consistent therewith. The second possibility is when the request for change is due to the acquired name by choice at a later point of time. That change need not be backed by public documents pertaining to the candidate.

194.1 Reverting to the first category, as noted earlier, there is a legal presumption in relation to the public documents as envisaged in the 1872 Act. Such public documents, therefore, cannot be ignored by the CBSE. Taking note of those documents, the CBSE may entertain the request for recording change in the certificate issued by it. This, however, need not be unconditional, but subject to certain reasonable conditions to be fulfilled by the applicant as may be prescribed by the CBSE, such as, of furnishing sworn affidavit containing declaration and to indemnify the CBSE and upon payment of prescribed fees in lieu of administrative expenses. The CBSE may also insist for issuing Public Notice and publication in the Official Gazette before recording the change in the fresh certificate to be issued by it upon surrender/return of the original certificate (or duplicate original certificate, as the case may be) by the applicant. The fresh certificate may contain disclaimer and caption/annotation against the original entry (except in respect of change of name effected in exercise of right to be forgotten) indicating the date on which change

has been recorded and the basis thereof. In other words, the fresh certificate may retain original particulars while recording the change along with caption/annotation referred to above (except in respect of change of name effected in exercise of right to be forgotten).

194.2 However, in the latter situation where the change is to be effected on the basis of new acquired name without any supporting school record or public document, that request may be entertained upon insisting for prior permission/declaration by a 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 CBSE and upon payment of prescribed fees. The fresh certificate as in other situations referred to above, retain the original entry (except in respect of change of name effected in exercise of right to be forgotten) and to insert caption/annotation indicating the date on which it has been recorded and other details including disclaimer of CBSE. This is so because the CBSE is not required to adjudicate nor has the mechanism to verify the correctness of the claim of the applicant.

195. In light of the above, in exercise of our plenary jurisdiction, we direct the CBSE to process the applications for correction or change, as the case may be, in the certificate issued by it in the respective cases under

consideration. Even other pending applications and future applications for such request be processed on the same lines and in particular the conclusion and directions recorded hitherto in paragraphs 193 and 194, as may be applicable, until amendment of relevant Byelaws. Additionally, the CBSE shall take immediate steps to amend its relevant Byelaws so as to incorporate the stated mechanism for recording correction or change, as the case may be, in the certificates already issued or to be issued by it."

34. In the backdrop of the aforesaid legal position and the principles laid down by the Hon'ble Supreme Court in ***Jigya Yadav*** (supra), the principal question that arises for consideration in the present writ petition is whether respondent No.5-Institution was justified in rejecting the petitioner's request for restoration/correction of her name and parentage in the academic records solely on the ground that no specific provision exists under the applicable rules or ordinances permitting such alteration, without duly considering her original educational records, the judgment and decree dated 24.02.2022 passed by the learned Principal Judge, Family Court, Bilaspur, and the subsequent public and governmental documents recognising her restored identity. The further question is whether, in the absence of an express prohibition under the applicable rules, the Institution could decline the petitioner's request altogether without examining the genuineness of her claim and the possibility of effecting the requisite correction subject to

reasonable procedural safeguards.

35. In the considered opinion of this Court, the aforesaid question deserves to be answered in favour of the petitioner. The reason is not merely that the petitioner seeks a change of name in an academic certificate, but that the peculiar facts of the present case demonstrate that the request is founded upon a complete and legally established chain of identity. The petitioner was originally known as “Surabhi Yadav, D/o Shiv Shankar Yadav”, with her mother’s name recorded as Smt. Sulekha Yadav. Her educational records prior to marriage, including her Class 10 and Higher Secondary records, consistently reflected the said identity. Thereafter, upon her marriage with Rajik Ahmed Ansari on 12.04.2012, she adopted the name “Suhana Ansari W/o Rajik Ahmed Ansari” and pursued her higher studies under that name. Therefore, the entry in the subsequent college records was not an unexplained or fabricated identity but a name which the petitioner had adopted during the subsistence of her matrimonial relationship.

36. The material on record further establishes that the matrimonial relationship itself came to an end through a judicial process. The competent Family Court, Bilaspur, in Civil Suit No.447-A/2021, by judgment and decree dated 24.02.2022, declared the marriage between the petitioner and Rajik Ahmed Ansari to be nullified. Thereafter, the petitioner restored her original identity as “Surabhi

Yadav D/o Shiv Shankar Yadav". Significantly, such restoration was not confined to a self-serving declaration made before respondent No.5. The petitioner has placed on record subsequent public and governmental documents in which her original name and parentage have been restored, including her Aadhaar and other identity records, and the State Government notification dated 28.04.2023. The request, therefore, is supported by a judicial decree and contemporaneous public records and cannot be characterised as a mere attempt to obtain a fresh identity or to alter academic records for an extraneous purpose.

37. There is yet another circumstance which materially distinguishes the present case from an ordinary application seeking a subsequent change of name. The petitioner is not seeking to erase her academic history or to create a new educational identity. She seeks that her academic records be brought in conformity with her legally restored identity and with the identity under which she had pursued her education prior to her marriage. The academic record itself would remain intact; the course undertaken, year of admission, year of passing, subjects, marks and qualification would remain exactly the same. The only alteration sought is with regard to the name and parentage by which the petitioner is identified. Consequently, there is no question of any alteration in the substance or validity of the qualification obtained by her.

38. The objection of respondent No.5 that the petitioner herself had filled the examination forms in the name “Suhana Ansari W/o Rajik Ahmed Ansari” is also not sufficient to justify an absolute refusal. It is true that an educational institution is ordinarily entitled to rely upon the particulars furnished by a student at the time of admission and examination and cannot be expected to undertake an independent inquiry into every personal circumstance of a student. But that principle cannot be converted into a permanent embargo against correction when subsequent circumstances, supported by legally admissible and reliable documents, establish that the identity of the person has changed or has been restored. The Supreme Court in ***Jigya Yadav*** (supra) has specifically recognised that a request for change may arise even after publication of the result and that a complete prohibition on such alteration would be disproportionate.

39. The stand of the respondents also proceeds on an unduly technical interpretation of the absence of an express provision permitting change of name. The Governing Body, in the impugned resolution dated 06.03.2023, has essentially reasoned that since there is no specific provision in the ordinance or rules for changing the name or issuing an amended marksheet, the request cannot be accepted. Such an approach, in the peculiar facts of the present case, cannot be sustained. The absence of a specific procedural provision does not necessarily amount to a substantive prohibition. At the highest, it indicates the necessity of devising a

reasonable procedure and insisting upon appropriate safeguards before making the alteration. An educational authority, which is entrusted with maintaining authentic academic records, cannot decline to consider a genuine claim merely because its rules are silent as to the precise procedure to be followed.

40. The distinction between absence of a rule prescribing a procedure and existence of a rule prohibiting the relief is fundamental. The respondents have not been able to point out any statutory provision, ordinance, regulation or binding rule which expressly prohibits the correction/restoration of a candidate's name in a case where the request is supported by a competent court decree and public documents. What has been relied upon is only the absence of a provision enabling the Governing Body to change the name. Such silence cannot, by itself, be elevated into a prohibition, particularly when the consequence of such interpretation would be to perpetuate in the official academic record an identity which the competent judicial and governmental authorities have subsequently recognised as no longer representing the petitioner's present legal identity.

41. Equally significant is the fact that the petitioner had approached the authorities promptly after the decree of the Family Court. She submitted applications dated 17.05.2022 and 20.05.2022 seeking correction/restoration of her name. She thereafter approached the Court in W.P.(C) No.2521/2022, which was disposed of on

03.11.2022 with a direction to submit a detailed representation and for its consideration in accordance with law. Pursuant thereto, the petitioner submitted her representation, which was forwarded by respondent No.4-University to respondent No.5. Thus, this is not a case where the petitioner slept over her rights for an indefinite period and subsequently sought alteration of records after decades. The chronology demonstrates that the petitioner acted after obtaining the judicial declaration concerning her matrimonial status and sought consequential correction of her public and academic identity.

42. The stand of respondent No.4-University also supports the conclusion that the ultimate decision-making authority with respect to the marksheets and certificates issued by the autonomous college is respondent No.5. Respondent No.4 has specifically stated that, in view of the autonomous status of respondent No.5, the power to conduct examinations, declare results and issue marksheets and other certificates rests with the autonomous college. Respondent No.4, therefore, cannot be directed to alter a document which it did not issue. However, the fact that respondent No.5 possesses the requisite administrative control over its academic records cannot simultaneously become a ground for refusing to exercise that authority in a fair, reasonable and legally sustainable manner.

43. The plea regarding availability of an alternative grievance

redressal mechanism under the 2023 Regulations also does not persuade this Court to decline interference in the present case. The petitioner had already approached the Court in W.P.(C) No.2521/2022, pursuant to which her representation was directed to be considered. The authorities thereafter took a final decision through the impugned resolution dated 06.03.2023. The controversy before this Court is thus not merely an unaddressed grievance but the legality of a specific administrative decision which proceeds on an erroneous understanding of the scope of the Governing Body's power. Moreover, the respondents have not demonstrated that the alternative mechanism constitutes an efficacious remedy for the precise relief sought by the petitioner against an autonomous college's academic records in the peculiar circumstances of the present case.

44. The plea of autonomy of respondent No.5 also cannot be accepted as an answer to judicial review. Autonomy of an educational institution is intended to facilitate academic excellence, institutional efficiency and independent administration; it does not confer immunity from the requirements of fairness, reasonableness and non-arbitrariness. An autonomous institution, while exercising its academic and administrative powers, remains subject to constitutional discipline. The mere fact that a decision is taken by a Governing Body does not make such decision immune from scrutiny under Article 226 of the Constitution. Where the decision is founded upon an erroneous legal premise, namely, that

absence of a specific rule necessarily constitutes a prohibition against correction, this Court is competent to interfere.

45. It is also necessary to bear in mind that educational certificates are not documents existing in isolation. They are relied upon by a person throughout his or her public and professional life for admission to further courses, employment, verification of identity, public appointments and numerous governmental and private purposes. An incorrect or inconsistent name in such records can consequently create serious practical difficulties. The Supreme Court in ***Jigya Yadav*** (supra) recognised precisely this need for a balanced mechanism which preserves the integrity of educational records while permitting genuine correction or change on fulfilment of reasonable safeguards.

46. The recent judicial application of the principles in ***Jigya Yadav*** (supra) also demonstrates that educational authorities cannot treat the declaration of a result as an absolute point of no return. In ***Sahil Arsh v. National Medical Commission & Ors., decided on 04.02.2026,*** the Delhi High Court, while applying the principles declared by the Supreme Court in ***Jigya Yadav*** (supra), reiterated that a blanket prohibition against correction after declaration of results is impermissible and that administrative efficiency cannot be used to make alteration of identity in educational certificates practically impossible. Though the said decision is of a High Court and is referred to only as persuasive authority, its reasoning is

consistent with the binding principles laid down by the Supreme Court.

47. The present case stands on an even stronger footing. Here, the petitioner does not seek alteration on the basis of a mere personal assertion. There exists a contemporaneous documentary trail beginning with her original school records, followed by the name adopted after marriage, the judicial decree dated 24.02.2022 concerning the matrimonial relationship, subsequent restoration of her original name in public documents and the Government notification dated 28.04.2023. These circumstances provide sufficient safeguards against impersonation, fraud or creation of a second academic identity. The respondents have not alleged that the petitioner is a different person, nor have they disputed the authenticity of the Family Court decree or the public documents relied upon by her.

48. There is, moreover, an internal inconsistency in the academic record itself which reinforces the need for correction. While the petitioner's B.Sc. and M.Sc. records describe her as “Suhana Ansari W/o Rajik Ahmed Ansari”, the record relating to the Post Graduate Diploma in Guidance and Counselling is stated to describe her as “Ku. Suhana Ansari Husband/Father of Rajik Ahmed Ansari”, while the mother's name is shown as Sulekha. Thus, even if the respondents' argument that the particulars furnished by the petitioner must ordinarily be reproduced is

accepted, the record concerning the Post Graduate Diploma does not faithfully reproduce even the particulars said to have been supplied by the petitioner. The erroneous description of Rajik Ahmed Ansari as the petitioner's father, when he was her husband, cannot be justified merely by invoking the sanctity of academic records. Preservation of an erroneous entry is not the same thing as preservation of the sanctity of an academic record.

49. This Court is conscious that academic records must ordinarily be maintained with a high degree of certainty and stability. Courts ought not to permit educational certificates to be altered casually or on the basis of vague claims. Such caution is necessary to prevent fraud, impersonation and manipulation of academic credentials. However, the solution to that concern is not to impose an absolute prohibition. The appropriate course is to verify the supporting documents and, wherever necessary, impose reasonable safeguards. This is precisely the balance struck by the Supreme Court in ***Jigya Yadav*** (supra).

50. An important aspect of the matter, which cannot be overlooked, is that the petitioner’s original educational records prior to her marriage consistently recorded her name as “Surabhi Yadav”. The mark sheet of the Class X examination conducted in the year 2009 by the Board of Higher Secondary Education, Delhi, records her name as “Ku. Surabhi Yadav”, whereas the mark sheet of the Class XII examination conducted in the year 2011 by the

Chhattisgarh Board of Secondary Education, Raipur, also records her name as “Surabhi Yadav”. These contemporaneous educational records constitute significant documentary evidence of the petitioner’s original identity and ought to have been duly considered while examining her subsequent request for restoration of her name in the academic records maintained by respondent No.5-Institution. Although the petitioner furnished her name as “Suhana Ansari” after her marriage, that circumstance, by itself, did not absolve the Institution of its obligation to examine the subsequent documentary evidence and the legal developments forming the basis of her request for restoration of her original identity.

51. The discrepancies in the academic records further reinforce the necessity of such examination. The marksheets relating to the B.Sc. Home Science and M.Sc. Home Science courses do not consistently reflect the petitioner’s mother’s name, whereas the Post Graduate Diploma in Guidance and Counselling certificate records her mother’s name as “Smt. Sulekha”. These inconsistencies indicate that the academic records require careful scrutiny rather than an outright refusal to consider the petitioner’s request. The Institution ought to have examined the original educational records, the particulars furnished at the time of admission and examination, the judgment and decree of the competent Family Court and the subsequent governmental documents before arriving at a decision. The sanctity of academic

records undoubtedly requires that alterations be made only upon proper verification; however, such sanctity cannot be invoked to perpetuate discrepancies without examining whether they can lawfully be corrected.

52. In ***Jigya Yadav*** (supra), the Hon'ble Supreme Court, while examining the relationship between an individual's identity, dignity and the right to change or retain one's name, recognised that a person's name constitutes an important element of individual identity and that the expression of such identity is protected under the Constitution. The Court emphasised that an individual's identity cannot be viewed merely as an entry in official records, divorced from the person's dignity, freedom of expression and right to be recognised in accordance with law. In this context, while referring to the observations made in ***Navtej Singh Johar v. Union of India, (2018) 10 SCC 1***, the Hon'ble Supreme Court explained the significance of individual identity and the freedom of a person to exercise control over his or her name. The relevant observations are reproduced hereinbelow:

> *"124. In fact, in Navtej Singh Johar v. Union of India, (2018) 10 SCC 1, the Court noted how the core existence of an individual is not exemplified by her outer characteristics but by her inner self-identification. In the context of natural identity of an individual, this Court in Navtej Singh Johar had noted that: (Navtej Singh Johar case, SCC pp. 74-75, para 5)*

"5. The natural identity of an individual should be treated to be absolutely essential to his being. What nature gives is natural. That is called nature within. Thus, that part of the personality of a person has to be respected and not despised or looked down upon. The said inherent nature and the associated natural impulses in that regard are to be accepted. Non-acceptance of it by any societal norm or notion and punishment by law on some obsolete idea and idealism affects the kernel of the identity of an individual. Destruction of individual identity would tantamount to crushing of intrinsic dignity that cumulatively encapsulates the values of privacy. choice, freedom of speech and other expressions. It can be viewed from another angle. An individual in exercise of his choice may feel that he/she should be left alone but no one, and we mean, no one, should impose solitude on him/her."

(emphasis supplied)

25. Identity, therefore, is an amalgam of various internal and external Yucluding acquired characteristics of an individual and name can be regarded as one of the foremost indicators of identity. And therefore, an individual must be in complete control of her name and law must enable her to retain as well as to exercise such control freely "for all

times". Such control would inevitably include the aspiration of an individual to be recognised by a different name for a just cause. Article 19(1)(a) of the Constitution provides for a guaranteed right to freedom of speech and expression. In light of Navtej Singh Johar62. this freedom would include the freedom to lawfully express one's identity in the manner of their liking. In other words, expression of identity is a protected element of freedom of expression under the Constitution.

126. Having recognised the existence of this right, the essential question pertains to the rights that flow due to the change of name. The question becomes vital because identity, as stated above, is a combination of diverse set of elements. Navtej Singh Johar62 dealt with "natural identity" and here we are dealing with name, which can only be perceived as an "acquired identity". Therefore, the precise scope of right and extent of restrictions could only be determined upon deeper examination.

127. To begin with, it is important to explain what we understand by this right to change of name as a constituent element of freedom of expression of identity. Any change in identity of an individual has to go through multiple steps and it cannot be regarded as complete without proper fulfilment of those steps. An individual may self-identify oneself with any title or epithet at any point of time. But the

change of identity would not be regarded as formally or legally complete until and unless the State and its agencies take note thereof in their records. Afterall, in social sphere, an individual is not only recognised by how an individual identifies oneself but also by how his/her official records identify him/her. For, in every public transaction of an individual, official records introduce the person by his/her name and other relevant particulars."

53. In the light of the aforesaid judicial precedents, it is quite evident that an individual's name is an integral component of identity and that educational authorities cannot adopt an inflexible approach to a genuine request for correction or change of name merely because the relevant rules do not expressly prescribe a procedure for such alteration.

54. Applying the aforesaid principles to the facts of the present case, it is apparent that the petitioner's claim is not founded upon a mere unilateral assertion or an attempt to create a new academic identity. Her original name, "Surabhi Yadav", stands recorded in her pre-marriage educational certificates; her subsequent adoption of the name "Suhana Ansari" was associated with her matrimonial relationship; and the judgment and decree dated 24.02.2022 passed by the competent Family Court, followed by the subsequent governmental documents and notification dated 28.04.2023, provide the basis for her request to restore her original identity in the academic records. Furthermore, the

inconsistencies appearing in the certificates issued by respondent No.5-Institution lend additional support to the necessity of a proper examination of her grievance. In these circumstances, the Institution was required to consider the petitioner's request in the light of the documentary evidence and the principles laid down in ***Jigya Yadav*** (supra), while ensuring the authenticity of the records and the prevention of any possibility of fraud or misuse. The mere absence of an express enabling provision could not, by itself, constitute a sufficient ground for rejecting the request without considering whether the requisite correction could be effected subject to reasonable safeguards. The impugned resolution dated 06.03.2023, having declined the petitioner's request without appropriately addressing these material considerations, cannot be sustained in its present form.

55. The respondents are, therefore, justified to the limited extent that they cannot be compelled to alter the academic record without verification or compliance with reasonable procedural safeguards. But they are not justified in rejecting the petitioner's request outright merely because no express provision has been found in the applicable ordinance for such alteration. The impugned resolution dated 06.03.2023, therefore, fails to apply the correct legal standard. It treats the absence of a prescribed procedure as an absolute prohibition and, in doing so, fails to consider the overwhelming documentary material placed by the petitioner in support of her request.

56. In the considered opinion of this Court, the power to maintain academic records necessarily carries with it the ancillary obligation to maintain them accurately and to provide a reasonable mechanism for correcting an entry which, in the light of subsequent legally recognised events and authentic public documents, no longer correctly represents the identity of the person concerned. Such an interpretation neither undermines institutional autonomy nor opens the floodgates for arbitrary alteration of academic certificates. On the contrary, it preserves the credibility of academic records by ensuring that they correspond with the legally established identity of their holder.

57. It is also clarified that the Court is not directing the respondents to obliterate the historical fact that the petitioner pursued her courses during the relevant period under the name “Suhana Ansari W/o Rajik Ahmed Ansari”. The direction is only to provide a lawful mechanism whereby her academic records may reflect her restored legal identity as “Surabhi Yadav D/o Shiv Shankar Yadav, Mother Sulekha Yadav”, with such endorsement, annotation, affidavit, Gazette/public notice, surrender of original documents or other reasonable safeguards as may be considered necessary in accordance with the principles laid down in *Jigya Yadav* (supra). This safeguards both interests: the historical integrity of the academic record and the petitioner's right not to be permanently burdened with an identity which she has lawfully ceased to use.

58. Consequently, the impugned resolution dated 06.03.2023 passed by the Governing Body of respondent No.5 cannot be sustained in law and is hereby quashed and set aside. Respondent No.5 is directed to reconsider and process the petitioner's request for restoration/correction of her name in all academic records, marksheets, certificates and other documents issued by it, including the records pertaining to B.Sc. Home Science, M.Sc. Home Science/Human Development and Post Graduate Diploma in Guidance and Counselling, in accordance with the principles laid down by the Supreme Court in ***Jigya Yadav*** (supra). The petitioner shall furnish all original documents and such affidavit, indemnity, Gazette publication/public notice, prescribed fee or other reasonable safeguards as may lawfully be required by respondent No.5. Upon verification and satisfaction regarding the identity of the petitioner, respondent No.5 shall issue the corrected/revised academic documents or an appropriate endorsement/certificate reflecting the petitioner's name as “Surabhi Yadav D/o Shiv Shankar Yadav, Mother Sulekha Yadav”.

59. Since respondent No.4-Atal Bihari Vajpayee University has itself taken the stand that, owing to the autonomous status of respondent No.5, the issuance and correction of marksheets and other academic certificates fall within the domain of respondent No.5, no independent direction for alteration of the marksheets is required against respondent No.4. However, respondent No.4 shall extend all consequential cooperation and endorsement, if

required under the applicable UGC framework or University procedure, so that the correction lawfully effected by respondent No.5 is duly reflected in the University's records and in the degree or other University document, wherever such endorsement is administratively necessary. The entire exercise shall be completed expeditiously, preferably within a period of six weeks from the date of receipt of a certified copy of this order.

60. It is made clear that the respondents shall not reject the petitioner's request merely on the ground that there is no specific provision in the existing ordinance/rules authorising change of name after declaration of the result. If any procedural requirement is considered necessary, the same shall be communicated to the petitioner in writing and she shall be afforded reasonable opportunity to comply with it.

61. As regards the petitioner's prayer seeking reconsideration of the recognition/status of respondent No.5 and for initiation of departmental or other proceedings against the concerned authorities, this Court finds no sufficient material, in the facts of the present case, to issue such sweeping directions. The principal grievance of the petitioner stands redressed by quashing the impugned resolution and directing reconsideration/correction of her academic records in accordance with law. Likewise, the prayer for compensation does not warrant separate adjudication in the absence of material establishing a legally compensable loss

attributable to any deliberate or mala fide conduct of the respondents.

62. Before parting, it is necessary to emphasise that this order should not be understood as laying down that every request for alteration of name in educational records must necessarily be accepted. Educational authorities are entitled, and indeed duty-bound, to protect the sanctity of academic records and to insist upon cogent documentary proof and reasonable safeguards. What is impermissible is a blanket refusal founded solely upon the proposition that once a result is declared, the academic record can never thereafter be corrected or brought in conformity with a legally established identity. The controlling principle is one of balance: the integrity of academic records must be protected, but such integrity cannot be preserved by perpetuating a demonstrably erroneous or legally outdated identity when the applicant produces reliable and authentic material establishing the correction sought. This is the balance mandated by the Supreme Court in ***Jigya Yadav*** (supra).

63. For the foregoing reasons, the writ petition is **allowed**. The resolution dated 06.03.2023 passed by the Governing Body of respondent No.5 is quashed and set aside. Respondent No.5 is directed to process and effect correction/restoration of the petitioner's name in her academic records in the manner indicated hereinabove, subject to reasonable verification and procedural

safeguards, and respondent No.4 shall extend consequential cooperation wherever required.

64. It is further directed that, while issuing the corrected/revised documents, respondent No.5 shall ensure that the correction does not result in any alteration whatsoever in the petitioner's course, year of admission, examination, marks, division, qualification or other academic particulars. The correction shall relate only to the identity particulars of the petitioner. If considered administratively necessary, the respondents may retain an appropriate internal record of the earlier name under which the petitioner had pursued her studies, so that the continuity and authenticity of the academic record remain fully verifiable.

65. There shall be no order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge

Yogesh

HEAD-NOTE

An educational institution cannot reject a genuine request for correction/restoration of a candidate’s name merely because no specific rule permits alteration after declaration of results. Where the identity is supported by authentic educational and public documents, the authority must consider correction subject to reasonable verification and safeguards.