

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7884 of 2008

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Rabindra Prasad Thakur, son of Sri Ram Briksh Thakur, resident of village-
Raghopur, P.O. Raghopur, P.S. Jurawanpur, District- Vaishali

.... Petitioner

Versus

1. The State of Bihar through Education Secretary, Bihar, Patna
 2. The Chairman, Bihar School Examination Board, Patna
 3. The Secretary, Bihar School Examination Board, Patna
 4. The Head Master, Sri K.S.S.S. High School, Raghopur, Vaishali
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Tuntun Kumar
For the Respondent/s : Mr. GP-32
Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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4 06-04-2015 Heard learned counsel for the petitioner, learned GP-32

and Sri Girijesh Kumar, learned counsel for Bihar School

Examination Board.

The petitioner, who retired as Army Personnel,
invoking writ jurisdiction of this Court under Article 226 of the
Constitution of Indian, has approached this Court with a prayer to
direct the Respondents, particularly the Respondents/ Bihar
School Examination Board to make correction in the middle name
of the petitioner in the Marks Sheet of his son Sandip Kumar as
well as Certificate issued by the Bihar School Examination Board,
wherein due to bona fide mistake, father's name of Sandip Kumar
has been incorrectly typed as Rabindra Kumar Thakur in place of

Rabindra Prasad Thakur.



Learned counsel for the petitioner by way of referring to Annexure-5 to the writ petition submits that the certificate issued by Army makes it clear that the name of petitioner is Rabindra Prasad Thakur. Learned counsel for the petitioner accepts that earlier the mistake was committed by son of the petitioner himself and, as such, incorrect name of his father was mentioned in the earlier record and some defect has occurred in the marks sheet as well as certificate issued by the Bihar School Examination Board.

In this case, a counter affidavit has been filed by the Respondent/Bihar School Examination Board. Sri Girijesh Kumar, learned counsel for Bihar School Examination Board submits that even an Admit-Card was issued by the Bihar School Examination Board on the basis of information furnished by the School as well as son of the petitioner himself, in which the name of the petitioner was mentioned as Rabindra Kumar Thakur in place of Rabindra Prasad Thakur and, as such, no mistake was committed by the Bihar School Examination Board. Accordingly, he has prayed for rejecting the writ petition.

After hearing the parties and considering the case of the petitioner, for just decision in the matter, the Court thinks it

proper to ask the petitioner to file an appropriate application supported with affidavit along with other relevant documents issued by the Army to show that the petitioner name is correctly Rabindra Prasad Thakur and petitioner may make prayer for making correction in the marks sheet as well as other certificate issued in the name of son of the petitioner, namely, Sandip Kumar and in between Rabindra and Thakur only ‘Kumar’ may be corrected as ‘Prasad’. The Court expects that if such application supported with affidavit is filed before the Respondent no.2, the Respondent no.2 may take appropriate steps for correcting Marks sheet /Certificate as indicated above within a period of two months thereafter.

It goes without saying that this order may not be treated as precedence, but this order has been passed in special facts and circumstances of the present case.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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