

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15770 of 2015

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Syed Faiyaz Ahmad son of Md. Akeek Asgar, Resident of Village- Raksia, P.s.-
Runni Saidpur, District- Sitamarhi.

.... Petitioner

Versus

1. Bihar School Examination Board, Patna through its Secretary
2. The Secretary, Bihar School Examination Board, Patna
3. The Headmaster, Tirhut Academy, Samastipur
4. The District Education Officer, Samastipur
5. The Deputy Director, Ishan School, Shiksha Nagar, Kishanganj, Bihar.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Jagannath Singh, Advocate
For the State	:	Mr. S.P. Singh, G.A.7
For B.S.E.B.	:	Mrs. Binita Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-04-2016

Writ has been filed by the petitioner for a direction upon the respondents to grant the original matriculation certificate which according to him has not been provided till date. From the prayer therein, another kind of collateral relief is also being insisted upon, as would be evident from the demands made by the petitioner, before the Bihar School Examination Board, which is to give date of birth as well to the petitioner if not making correction thereto.

Counsel for the Bihar School Examination Board has filed a counter affidavit. The affidavit categorically states that the records or the tabulation register does not indicate the date of birth of

the petitioner. Meaning thereby that at the time of examination, the necessary details were not furnished either by the petitioner or the school in question. Further to make things more difficult, there are two kinds of communications originating from the school one giving a date of birth and the other certifying that there is no record with regard to his date and even admission for that matter.

Since the passing of matriculation examination as such is not being disputed by the Examination Board, let the duplicate certificate be issued in favour of the petitioner on demand and deposit of requisite fee but with the available data and materials in the record of the Examination Board. If the necessary date of birth is not available, it may not be provided.

Writ application stands disposed of in terms of the above direction.

(Ajay Kumar Tripathi, J.)

SanjayKumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.04.2016
Transmission Date	