

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3503 of 2016

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Satendra Prasad Singh son of Late Brajnandan Prasad Singh resident of village
Gaura, P.S. Marhowrah, District Saran.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, New Secretariat, Patna.
3. The Bihar Staff Selection Commission, Post Office Veterinary College, Patna
through its Secretary.
4. The Director, Research and Training, Education Department, Govt. of Bihar,
New Secretariat, Patna.
5. The Secretary, Bihar School Examination Board, Patna.
6. The Joint Secretary, Bihar School Examination Board, Patna.
7. The Deputy Secretary, Bihar School Examination Board, Patna.
8. The District Education Officer, Saran at Chapra.
9. The Principal, District Institute of Education and Training (DIET), Sonpur,
District - Saran.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Singh, Advocate
For the State	:	Mr. S.K. Sinha, G.P.15
For B.S.E.B.	:	Mr. Partha Sarthy, Advocate
		Mr. Utsav Kumar, Advocate
For B.S.S.C.	:	Mr. K.K. Upadhyay, Advocate
		Mr. C.B. Das, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 29-07-2016

Petitioner has filed the writ application for a direction upon
the respondent Bihar School Examination Board to correct the academic
session of his certificates from the year 1984-86 in place of 1985-87.

2. As per the petitioner's assertion, he was given admission
for training in what is known as District Institute of Education and Training
(for short DIET) located at Sonapur in the district of Saran. Petitioner took
sometime to pass the examination because of being unsuccessful in one

paper or the other and it is his case that the result was declared in the year 1992.

3. After more than 18 years, he approached the Bihar School Examination Board that a correction is required with regard to his session in the certifications issued. It has been indicated as 1988-90 which was a wrong entry. The matter was verified by the Examination Board from the institution and it has been corrected to 1985-87.

4. Petitioner wanted this to be further corrected to indicate the session 1984-86 because according to him his admission was actually in the year 1984 and, therefore, the 1985-87 batch shown against the petitioner is an error.

5. One thing at the outset which stands out against the petitioner is that he has approached both the authorities as well as the Court after much much delay. More than two decades had gone passed before he approached the Examination Board and two and a half decades since the writ Court was approached with that grievance. However, since the Examination Board took cognizance of his prayer and request for correction, the delay does not prove to be fatal for him and the laches, therefore, will not be held out against him at this juncture.

6. Counter affidavit on behalf of the Examination Board has been filed. They have brought correspondences made between the institution in question and they are seeking clarity as to how certain session has been indicated against the issuance of certificates of the petitioner showing the batch of the petitioner which led to issuance of certificates by

the Examination Board.

7. The records were sent for perusal. They were examined. The records indicated that initially the petitioner and his batch were given admission for the batch 1984-86. However, for some reason that admission was cancelled. The original record indicates so in no uncertain terms and admission was granted afresh for the batch 1985-87. There is no mystery involved with why 1985-87 has been indicated in the certification of the petitioner. His claim that his admission cancellation plea should not be entertained when admission was granted for the batch of 1984-86 is a misplaced submission to make because that issue cannot be agitated at this hour. That issue should have been raised when a decision was taken to cancel the admission for the session 1984-86 and fresh admission was granted in the session 1985-87.

8. If the records reflect the above position, there is no reason for this Court to give a direction for correction of his batch to 1984-86.

9. Writ application is dismissed for the reasons indicated above.

(Ajay Kumar Tripathi, J.)

SanjayKumar/-

AFR/NAFR	NAFR
CAV DATE	
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