

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18299 of 2013

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Seema Kumari @ Seema Singh Daughter of Bijayendra Prasad Singh C/o Gopal Singh, Near Bsnl Tower Binod Nagar Dhanbad, Police Station - Dhanbad (Town), District - Dhanbad (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Department of Human Resources, Govt. of Bihar, Patna
3. The Director (Primary Education), Govt. of Bihar, Patna
4. The Chairman, Bihar School Examination Board, Patna
5. The Secretary, Bihar School Examination Board, Patna
6. The Deputy Secretary, Bihar School Examination Board, Patna
7. The Principal, H.E.C Girl High School, Dhurva, Ranchi
8. The Principal, High School, Putki, Dhanbad (Jharkhand)

.... Respondent/s

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Appearance :

For the Petitioner/s : M/s Bidhyachal Singh, Vipin Kumar Singh, Advs.
For the State : Mr. Ajit Jumar Jha, AC to GP-6
For the B.S.E.B. M/s. Purnendu Singh and Sanjay Kr. Tiwari, Advs.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 23-02-2016

Heard learned counsel for the petitioner and learned counsel for the Bihar School Examination Board.

Two reliefs have been sought by the petitioner, one is with regard to change of her father's name as has wrongly been recorded in the primary register maintained by Bihar School Examination Board. Another relief has been sought with regard to change of her date of birth which this Court is not entertaining as this issue can only be ascertained before a regularly constituted Civil Court. The petitioner, if so advised, may take a legal course as

available in law.

In the present case, it appears that the petitioner had appeared in the Bihar School Examination Board in the year 1983. The name of the petitioner was recorded as Seema Kumari, Roll Code 1115, Roll No. 205 and her father's name was shown as "R.B.P. Singh" in place of "Bijayendra Prasad Singh". She has passed the matric examination. It appears that the duplicate certificate was issued in favour of the present petitioner there her father's name has been shown as Bijayendra Prasad Singh and thereafter, on the basis of the certificate, she has obtained the degree of M.Sc. from Ranchi University and B.Ed. from Andhra Pradesh and all the times, the petitioner has taken assistance of the certificate issued by the Bihar School Examination Board.

Presently the petitioner appeared in the Jharkhand Public Service Commission where she has been declared selected and posted as Biology Teacher at Putki, Dhanbad there the Head Master of the School had sent her certificate for verification whereupon the Bihar School Examination Board refused to recognise her date of birth as well as the name of her father as Bijayendra Prasad Singh. Thereafter, the petitioner had filed an application for necessary correction in her date of birth as well as her father's name.

This Court has already refused to entertain the prayer of

correction of date of birth. With regard to correction of her father's name, the petitioner is directed to file an application with all supporting documents before the Chairman, Bihar School Examination Board who will constitute a Committee examining the case of the petitioner if so necessity, will call the petitioner with supporting the documents and if it is satisfied that it is a clerical error in the primary record that will be corrected in accordance with law. This process should be completed within a period of two months from the date of receipt/production of a copy of this order.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

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