

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1116 of 2017

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Shivam Choudhary @ Shivam, S/o Shri Prabhat Kumar Choudhary, Resident of Kalwari Niwas, Juran Chapra, Road No. 1, P.S. Brahampura, Town and District - Muzaffarpur

.... Petitioner

Versus

1. The Central Board of Secondary Education, New Delhi through its Chairman
2. The Chairman, Central Board of Secondary Education, New Delhi
3. The Regional Director, Central Board of Secondary Education, Patna
4. The Section Officer (M & M), Central Board of Secondary Education, Patna
5. The Principal, DAV Public School, Khabra, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Maruth Nath Roy, Advocate

For the Respondent/s : Mr. Vinay Krishna Tripathy, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 03-03-2017

Heard learned counsel for the petitioner and the CBSE.

The petitioner is aggrieved by Annexure-16, which is a communication dated 7.12.2016 by the Regional Office of Central Board of Secondary Education, by which his request for correction in his name has been rejected.

It is contended that the petitioner's name is 'Shivam' but in view of the difficulty which he is facing in participating in several examinations etc. in which surname is necessary to be filled for online submission of forms etc., the petitioner had applied for correction of his name by adding his surname 'Choudhary', which has been refused by the CBSE on being time barred. The petitioner places reliance



upon the decisions of a co-ordinate Bench of this Court rendered in CWJC No.1592 of 2016 and CWJC No.8277 of 2016.

In my view, even this is not a case of change of name or correction of name rather under certain exigencies the petitioner requires that his surname has to be added in his name. Regulation 69.1 has been interpreted by a co-ordinate Bench stating that it talks about correction in the name or surname which in fact not the case of the petitioner.

In the facts and circumstances of the case, the impugned communication dated 7.12.2016, as contained in Annexure-16, is quashed and set aside.

This Court directs the Central Board of Secondary Education to consider the case of the petitioner for addition of his surname ‘Choudhary’ after ‘Shivam’, i.e., the name of the petitioner within a period of six weeks.

In the result, this writ application stands allowed in terms of the aforesaid observations and directions.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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