

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8593 of 2017

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Md. Mokhtar, Son of late Sallauddin Azad, R/o Mohalla- Khoraittha (Darzi Tola),
P.O. & P.S. Bikram, District Patna, at present R/o H/o Md. Akbar Ali, Mohalla
Data Pirbahore , Masjid Gali, Neemtal, P.O. Mahendru, P.S. Pirbahore, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, H.R.D. Department, Govt. of Bihar.
2. The Chief Executive Officer/Director CBSE Board Siksha Kendra -2 Community Centre Preet Bihar, Delhi.
3. The Director/Regional Officer Central Board of Secondary Education , Regional Officer, Ambika Complex, Raja Bazar, Bailey Road, Patna-14.
4. The Principal /Director National Convent High School B.M. Das Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. V.K. Tripathy, Adv.

For the State : Mr. Narendra Kumar, A.C. to G.P.-20

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 24-11-2017

This writ application has been filed on behalf of the petitioner seeking direction to the Central Board of Secondary Education (*in short 'the CBSE'*) to correct the date of birth of his daughter, namely, Dilkash Gazala, from 17.11.1998 to 17.11.2000, in the CCE certificate, issued by the CBSE.



2. A counter affidavit has been filed on behalf of the CBSE, stating therein specifically that in the admission form the petitioner himself had entered the date of birth of his daughter as 17.11.1998. The petitioner's daughter had appeared for Class-Xth examination as student of National Convent High School, B.M. Das Road, Patna. Before that she was student of St. Rishab's School, Patna. The said St. Rishab's School had issued School Leaving Certificate (*in short 'the SLC'*), whereafter, she got admission in the National Convent High School. In the said SLC also, the date of birth of the petitioner's daughter is shown as 17.11.1998. In the admission withdrawal register, maintained by the school too, the date of birth of the petitioner's daughter has been mentioned as 17.11.1998.

3. It is the case of the petitioner, however, that in the Aadhar Card and certain other documents the date of birth of his daughter has been recorded as 17.11.2000 and on that basis, the date of birth, entered in the CCE certificate, should be corrected.

4. I am not convinced with the plea taken on behalf of the petitioner for correction of date of birth of his daughter, on the basis of entry made in the Aadhar Card and certificate issued by the concerned Municipal Corporation. Annexure 6 to the writ application is a communication, dated 03.12.2016, of the said National Convent High School, addressed to the CBSE, on



petitioner’s application for correction/chance of date of birth of his daughter. From reading of the said document, it is evident that the school authorities themselves have said that there was no objection raised by the candidate or his parents at the time of registration in Class-IXth, in respect of the date of birth. Only at the time of filing of list of candidates, the petitioner requested to change the date of birth of his daughter, on the basis of affidavit. Merely, on the basis of affidavit, the school changed the date of birth in list of candidates and sent it to the CBSE.

5. It is evident from the above that the date of birth, as mentioned in the list of candidates, is based on mere affidavit, which was apparently different from what was declared at the time of admission of the petitioner’s daughter in the school.

6. In my view, under the facts and circumstances of the case, this Court cannot direct for the change of date of birth of petitioner’s daughter after refusal by the CBSE.

7. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CA V DATE	N/A
Uploading Date	06/12/17
Transmission Date	N/A

