

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.16031 of 2015**

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1. Anwar Alam Son of Late Md. Hanif, Resident of Village - Math Lohillar, Tola Malarhiya, P.O. - siswa Bazar, P.S. - Harsidhi, District - East Champaran .

.... .... Petitioner/s

Versus

1. The Union of India through Ministry of Education, New Delhi.
2. Central Board of Secondary Education, New Delhi through its Chairman.,
3. Controller of Examination, Central Board of Secondary Education, New Delhi.
4. Regional Director, Central Board of Secondary Education at Patna Brahmasthan, Sheikhpura, Bailey Road, Patna.

.... .... Respondent/s

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**Appearance :**

|                    |   |                                                         |
|--------------------|---|---------------------------------------------------------|
| For the Petitioner | : | Mr. Anuj Kumar<br>Mr. Javed Aslam                       |
| For Union of India | : | Mr. S. D. Sanjay, A.S.G.<br>Mr. Sujeet Kumar Sinha, CGC |
| For CBSE           | : | Mr. Vinay Krishna Tripathy                              |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**JUDGMENT AND ORDER**

ORAL

**Date: 11-05-2017**

Heard learned Counsel for the parties concerned.

**2.** This writ application has been filed seeking direction to the Central Board of Secondary Education, New Delhi, to correct the date of birth of the petitioner's son, Abid Alam, from 28.08.1988 to 28.08.1998.

**3.** The petitioner's son had appeared for the 10<sup>th</sup> examination, held by the Central Board of Secondary Education, in the month of March, 2013. In the admit card,



issued by the Central Board of Secondary Education for the said examination, his date of birth was mentioned as 28.08.1988. The student is said to have immediately applied to the Regional Officer, through School, on 15.06.2013, for making corrections in the date of birth.

**4.** The said date of birth has been entered in the mark sheet and certificate issued by the Central Board of Secondary Education.

**5.** In my view, very short dispute is involved in the present case. The Central Board of Secondary Education has refused to correct the date of birth of the petitioner's son on the basis of the fact that there are certain interpolations with respect to his date of birth as entered in the admission register, as maintained by the School, from where he had appeared for the 10<sup>th</sup> examination. A copy of the relevant portion of said admission register has been brought on record by way of Annexure-A to the counter affidavit. It is easily noticeable from the said admission register that date of birth of the petitioner's son has been mentioned as 28.08.1998. There is no apparent interpolation in the said entry except slight correction to overcome a perceptible mistake committed at the time of making of entry in the said admission register. The dates of birth of other students in the said register range from the year 1998 to 1999. If 1988 is taken to be the age of



the petitioner's son, he would be passing the 10<sup>th</sup> examination at the age of 25 years. The mistake is apparent at some level, possibly at the time of submission of online examination forms. The Central Board of Secondary Education, in such circumstance, ought to have gracefully accepted the plea of the petitioner's son for correction in the entry in relation to date of birth.

**6.** This application is accordingly allowed.

**7.** The Central Board of Secondary Education is directed to ensure that necessary corrections are made in the date of birth of the petitioner's son by incorporating 28.08.1998 in place of 28.08.1988. This must be done within a period of eight week from today.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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