

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19635 of 2016

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Saravjeet Kumar, Son of Late Dashrath Yadav, Resident of Village- Balke Tola,
P.S.- Krishnagarh, District- Bhojpur, At present residing at New Court Area, Naya
Tola Hasanpura, P.S.- Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The District Education Officer, Lakhisarai.
5. The Head Master, B.S. High School, Bahrawa, P.S.- Halsi, District- Lakhisarai.
6. The Head Master, Middle School, Hasanpur, P.S.- Kabaiya, District- Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the BSEB : Mr. Ajay Bihari Sinha, Adv.
For the State : Mr. Madhaw Pd. Yadav, GP-23
Mrs. Meera Singh, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 18-08-2017

The petitioner seeks direction to the respondent-
Bihar School Examination Board (*in short 'Board'*) to correct his
date of birth, as recorded by the Board in his matriculation
certificate by substituting 14.01.1995 in place of 15.06.1996.

2. Counter affidavits have been filed on behalf of



the Board and the District Education Officer, Lakhisarai (respondent No. 4).

3. The petitioner passed his matriculation examination in the year 2014, held by the Board. It is the case of the petitioner that after having passed Class-VIth examination from Middle School, Hasanpur, in the district of Lakhisarai, he had taken admission at Nath Public School, Lakhisarai, on the basis of School Leaving Certificate (*in short 'SLC'*). It is his further case that his date of birth in the said SLC was mentioned as 14.01.1995. It is, accordingly, the case of the petitioner that his date of birth was wrongly recorded in the admission register of Bindeshwari High School, Bahrawa, Lakhisarai, as 15.06.1996 in place of 14.01.1995, from where he had appeared for matriculation examination.

4. In the counter affidavit filed on behalf of the Board, it has been stated that after having received an application from the petitioner for correction in his date of birth, the Headmaster of the school was directed to produce the original records, namely, Original School Admission Register, Original Transfer Certificate, Guard File, Original Declaration/Affidavit, furnished by the petitioner at the relevant point of time. It has been stated that after having gone through the records, the Board



rejected the petitioner's application for change in date of birth by an order, communicated to the petitioner through letter, dated 27.01.2017, which has been brought on record by way of Annexure-A to the said counter affidavit. From the said Annexure-A, it appears that the Board noticed that at all places the date of birth of the petitioner was recorded as 15.06.1996.

5. Respondent No. 4 has brought on record copy of the Admission Register of the concerned school from which it appears that the petitioner's date of birth was originally recorded as 15.06.1996. The Headmaster of the school himself has made corrections in the date of birth of the petitioner in the Admission Register, apparently on the basis of so-called Affidavit No.3520/2016, which has been brought on record by way of Annexure to the counter affidavit filed on behalf of respondent No. 4. At the first place, the Principal of the school ought not to have made corrections in the Admission Register, merely on the basis of affidavit filed by the petitioner, particularly when he had already passed matriculation examination and a particular date of birth was mentioned in the matriculation certificate.

6. In such circumstance, I do not find any illegality in the decision of the Board in rejecting the petitioner's application for correction in the date of birth.



7. This application is, accordingly, dismissed.

8. Before I part with, I consider it appropriate to direct the District Education Officer, Lakhisarai to inquire from the Headmaster of Bindeshwari High School, Bahrawa, Lakhisarai, as to in what circumstance did he correct the date of birth of the petitioner, as mentioned in the Admission Register, and if required, initiate departmental action against him.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.08.2017
Transmission Date	N/A

