

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14014 of 2016

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Ayush Bannerjee (Minor), through his natural guardian Mother
Mukta Bannerjee, S/o Late Bhaskhar Bannerjee, R/o Mohalla
Ashok Nagar, P.S. Kankarbagh, District Patna.

.... Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Human Resources Development, Government of India, New Delhi.
2. The Secretary, Ministry of Human Resources Development, Government of India, New Delhi.
3. The Central Board of Secondary Education, New Delhi through its Chairman.
4. The Chairman, Central Board of Secondary Education, New Delhi.
5. The Assistant Secretary (M & M), Regional Office, Ambika Complex, behind S.B.I. Colony, Near Brahmsthan, Sheikhpura, Bailey Road, Patna.
6. The Principal, T. Raza High School, Ahmad Raza Nagar, Kurkuri, Phulwarisharif, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the CBSE : Mr. Vinay Krishna Tripathy, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 12-05-2017



The petitioner passed Class-Xth examination of the year 2015 held by the Central Board of Secondary Education (*hereinafter referred to as the 'CBSE'*) as a student of T. Raza High School, Ahmad Raza Nagar, Kurkuri, Phulwarisharif, Patna. His father Bhaskhar Bannerjee had died on 03.12.2008. It is the case of the petitioner that after his father's death, name of his maternal uncle, namely, Bishwajeet Kumar Deogharia, was entered in the school records as his guardian. It is also his case that in the List of Candidates (LOC), the names of mother and father of the petitioner were correctly mentioned as Mukta Bannerjee and Bhaskhar Bannerjee. However, in the Admit Card, against his father's name, the name of his maternal uncle, *viz.*, Bishwajeet Kumar Deogharia, was found entered. For making correction, the petitioner represented the CBSE only to the extent that in place of his father, the name of his guardian may be mentioned. It is his case that in place of his maternal uncle's name in his Class-Xth certificate and other documents, maintained by the CBSE, the name of his late father, Bhaskhar Bannerjee, be mentioned by way of correction.

2. Heard the parties.

3. Learned counsel, appearing on behalf of the CBSE, has submitted that it is apparently because of the information which the CBSE received through correspondence



from the school that the CBSE had to reject the petitioner's application by communication, dated 08.07.2016.

4. From perusal of the documents on record, I feel satisfied that the child is being unnecessarily harassed at one level or the other. It appears that only because of incorrect information, inadvertently submitted at the time of submission of On-Line examination form, the situation has emerged. The mistake is apparent and should not be made an issue considering the trivial nature.

5. I, therefore, direct the CBSE to incorporate necessary corrections in the petitioner's marks-sheet, issued by the CBSE, and other related documents, which have been brought on record by way of Annexures-4 and 4/1 of the present writ application.

6. Such exercise must be done within a period of eight (8) weeks from the date of receipt/production of a copy of this order.

7. This application is, accordingly, allowed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15/05/2017
Transmission Date	

