

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18212 of 2008

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Vijay Kumar Vijay, son of Shri Sachchida Prasad, resident of Sri Chandpur, P.S. & P.O. Harnaut, District- Nalanda

.... Petitioner/s

Versus

1. Bihar School Examination Board, Patna through its Chairman
2. The Chairman, Bihar School Examination Board, Patna
3. The Secretary, Bihar School Examination Board, Patna
4. Principal, Government High School, Birpur, Dist. Supaul
5. The State of Bihar through Secretary, Shiksha Bibhag

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Natraj Verma, Advocates

For the State : Mr. Gyan Shankar, AC to GP-2
For Examination Board : Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date: 03-05-2017

Hard Mr. Natraj Verma, learned counsel for the petitioner, Mr. Manish Kumar, learned counsel appearing for the Examination Board and Mr. Gyan Shankar, Assisting Counsel to GP-2.

The grievance of the petitioner is that although his correct date of birth is 3.2.1969, which is also recorded in the Tabulation Register maintained by the Bihar School Examination Board but it is wholly on account of a typographical error committed by the Board in issuing the matriculation certificate, copy of which is present at Annexure-5, that a confusion has arisen as to his date of



birth because the date of birth recorded in the matriculation certificate shows an overwriting while recording the date of birth as 3.2.1969. It is this overwriting which has created confusion in the employment of the petitioner and for which he had made a representation before the Board for issuing a fresh certificate but the same has not been entertained merely on the ground of delay and certain further documents have been required.

Annexure-1 is the school leaving certificate issued on 28.1.1980 recording the date of birth of the petitioner as 3.2.1969, Annexure-2 is the Admission Register of the Government High School, Birpur, which again records the date of birth of the petitioner, whose name appears at Sl. No. 1, as 3.2.1969, Annexure-3 is the Registration Register confirming the position and Annexure-4 is the Admission Card duly certified by the Principal of the School, which records the date of birth of the petitioner as 3.2.1969.

In such view of the matter, it stands confirmed that the date of birth recorded in the matriculation certificate gives a confusing status as it is accompanied by overwriting.

In the aforementioned view of the matter, let the prayer of the petitioner be considered by the Secretary of the Board for issuance of a duplicate matriculation certificate keeping in mind the documents accompanied with such application. The petitioner would



file a fresh application enclosing all the relevant documents as required by the Board and the Board after satisfying themselves on the genuineness of the documents, would pass appropriate order within three months of the filing of such application, disposing of the grievance of the petitioner.

The writ application is, accordingly, disposed of.

(Jyoti Saran, J)

S.Pandey/-

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CAV DATE	NA
Uploading Date	08 .05.2017
Transmission Date	

