

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19970 of 2013

=====

Zarina Khatoon Wife of Noor Alam Resident of Village - Baharsal, P.S. -
Amdabad, District - Katihar

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department Of Human Resource & Development, Bihar, Patna
2. The Chairman, Bihar State Madarsa Education Board, Patna
3. The Secretary, Bihar State Madarsa Education Board, Patna
4. The Examination Controller, Bihar State Madarsa Education Board, Patna
5. The Head Maulvi, Madarsa Islamia Darulhoda, Baidyanathpur, Chawkchama, P.S. - Amdabad, District - Katihar

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Bimal Kumar
Mr. Birendra Kumar, Advocates
For Respondent-Board: Mr. Rashid Alam, Advocate
For the State : Mr. Asif Kalim, AC to AAG 12

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-08-2017

Heard learned counsel for the petitioner and learned
counsel for the respondent-Bihar State Madarsa Education Board.

2. The present writ petition has been filed for correction of
the date of birth in the mark sheet of the petitioner issued by the Bihar
State Madarsa Education Board, Patna (for short, "the Board")
(Annexure-3).

3. Learned counsel for the petitioner submits that though
her date of birth has been correctly stated in the certificate of
registration (Annexure-1) and the admit card (Annexure-2) as
'01.06.1980', a mistake has crept in while mentioning her date of birth
as '15.08.1991' in her mark sheet dated 07.06.2004 (Annexure-3). It is
submitted that the same being an obvious error is required to be
corrected by the respondent-Board for which she has already filed a



representation dated 18.02.2013 (Annexure-9) which is pending before the Board.

4. Learned counsel for the respondent-Board points out that the petitioner has filed her so-called representation dated 18.02.2013 after an inordinate delay of almost 9 years since publication of her marksheet dated 07.06.2004 and moreover, the representation is required to be in a prescribed format.

5. Having regard to the nature of the claim of the petitioner, this Court is of the view that in the ends of justice, the respondent-Board be directed to consider the representation dated 18.02.2013 for appropriate disposal and redressal of the grievance of the petitioner. For this purpose, the petitioner be granted an opportunity of being heard and if any fresh representation in prescribed form is required, an opportunity for furnishing the same be given to her and the matter be disposed of by the respondent-Board in accordance with law within a period of three months from the date of receipt/production of a copy of this judgment. Needless to say, the petitioner shall cooperate in the matter.

6. The writ petition accordingly stands disposed of. The interlocutory application also stands disposed of.

B.T/Ibrar

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	05.08.2017
Transmission Date	N.A.

