

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12314 of 2013

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Shagufta Tarannum, Wife of Md. Parwez, Daughter of Zaki Ahmad, Resident of Village- Sahebpur Kamal (West), P.O. and P.S. Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Election Commission, Patna through the State Election Commissioner, Bihar, Patna.
3. The State Election Commissioner, Bihar, Patna.
4. The Deputy Secretary, State Election Commission, Bihar, Patna.
5. The District Magistrate, Begusarai.
6. The District Panchayati Raj Officer, Begusarai, District- Begusarai.
7. The Sub-Divisional Officer, Sahebpur Kamal, District- Begusarai.
8. The Block Development Officer, Sahebpur Kamal, District- Begusarai.
9. The Bihar State Madarsa Education Board, Patna through its Secretary.
10. The Chairman, Bihar State Madarsa Education Board, Patna.
11. The Secretary, Bihar State Madarsa Education Board, Patna.
12. The Controller of Examination, Bihar State Madarsa Education Board, Patna.
- Nos. 9 to 12 are 5-Vidyapati Marg, Police Station- Kotwali, District- Patna.
13. Neelam Devi, Wife of Anil Kumar, resident of Village- Sahebpur Kamal (West), Police Station- Sahebpur Kamal, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Neeraj Raj, AC to GA-8
For the BSEC	:	Mr. Amit Shrivastava, Adv. Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date : 13-10-2017

No one appears on behalf of the petitioner. Learned counsel representing the State of Bihar and Bihar State Election Commission are present.



2 The petitioner is aggrieved by an order passed by the Chairman, Bihar State Madarsa Education Board, Patna, as contained in letter No. 3420, dated 10.05.2013, whereby, a correction made earlier in the Tabulation Register of *Faquania* examination, in respect of the petitioner, has been held to be without jurisdiction and accordingly the correction, so made, has been cancelled. The petitioner has also sought for a direction commanding respondents-Bihar State Madarsa Education Board (*in short 'the Board'*) to send proper verification report to the Bihar State Election Commission, on the basis of the entry made in the registration slip, admit card and admission register of the institution.

3. Counter affidavits have been filed on behalf of the respondents. It appears from the counter affidavit filed on behalf of the Board that the petitioner had appeared for *Faquania* examination. She had filed a representation for correction of the entry of her date of birth, on the basis of which the Controller of Examination made corrections in the Tabulation Register, without obtaining permission of the competent authority. It is the specific stand of the Board that according to the records, the petitioner's date of birth was recorded as 12.04.1992 and, accordingly, for *Wastania* Examination, 2007, her certificate of passing was issued.



By introducing correction in the Tabulation Register, the date of birth of the petitioner was changed from 12.04.1992 to 12.04.1982.

4. It appears that the petitioner was interested for contesting the election for the post of Mukhiya and as per the said date of birth of 12.04.1992, she was not qualifying for the said post of Mukhiya.

5. There is no reply filed on behalf of the petitioner to the said counter affidavit. Thus, the averments made in the counter affidavit stands admitted, following doctrine of *non-traverse*.

6. This application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.10.2017
Transmission Date	N/A

