

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1471 of 2017

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Priya Prakash through her guardian Om Prakash Sharma, Son of Late Harinandan Singh, R/o 507, Hem Plaza Apartment, Fraser Road, P.S.- Gandhi Maidan, District- Patna.

.... Petitioner

Versus

1. The Union of India through Central Board of Secondary Education Delhi.
2. The Regional Officer, Central Board of Secondary Education, Abmbika Complex, Near Brahmsthan, Seikhpura, Bailey Road, Distt.- Patna.
3. The Principal DAV Public School, Cantt. Road, Khagaul, Distt.- Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dudh Nath Singh, Advocate
For the C.B.S.E. : Mr. Vinay Krishna Tripathy, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 16-03-2017

Heard.

Through this writ application, the petitioner seeks quashing of the order dated 26-27/09/2016 as contained in Annexure 1 by which the Central Board of Secondary Education (C.B.S.E.) has rejected the request of the petitioner for correction of her name as well as date of birth on the ground of being time barred.

It is contended that petitioner's name has correctly been recorded as Priya Prakash and date of birth has been recorded as 16.03.1999 in the admission register. The petitioner appeared in class 10th examination from the said school in the year 2015 and was declared successful but in her grade sheet-cum-certificate, there was



error while recording the name and date of birth as the same was recorded as Priya Prkash and 15.03.1999 in place of Priya Prakash and 16.03.1999. Accordingly, C.B.S.E. was represented for correction of date of birth and her name which was rejected on the ground of being time barred.

It is apparent that there has been some error while recording the name and date of birth either at the part of the school or the C.B.S.E. office and for that, the petitioner cannot be faulted with. However, her request has been rejected on the ground of being time barred. It is well settled that technicality should not come in way of doing full justice. Thus, in my view, this is a case of typographical error which should have been corrected by the C.B.S.E.

Accordingly, Annexure 1 is quashed and set aside and the C.B.S.E. is directed to make necessary correction with respect to the name and date of birth of the petitioner preferably within a period of three months from the date of receipt/production of a copy of this order.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

AFR/NAFR	NAFR
CAV DATE	NA
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