

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9648 of 2017

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1. Neha Kumari, daughter of Raj Kishore Shah, resident of Mohalla- Bankipur Gorakh Fatuah P.O. and P.S.- Fatuah, District- Patna.

.... Petitioner/s

Versus

1. Union of India through Secretary Ministry of Human Resources Department, Shashtri Bhawan, C. Wing Dr. Rajendra Prasad Road New Delhi.
2. Central Board of Secondary Education through its Chairman, Under the Ministry of Human Resources Department Head Office No.2 Shiksha Kendra Community Centre Pret Vihar, New Delhi.
3. Central Board of Secondary Education, 35B Regional Office Civil Station M.G. Marg, Civil Lines, Allahabad.
4. Central Board of Secondary Education Regional Office, Ambika Complex Behind State Bank Colony Sheikhpura Raj Bazar Bailey Road Patna- 800014 (Bihar).
5. The Principal Sholars Abode School, School Code 50112 Mahangupur Chairaura P.S.- Janipur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. J.P.Singh

For the C.B.S.E. : Mr. Vinay Krishan Tripathy

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 06-12-2017

The petitioner is aggrieved by the communication dated 07.12.2016 issued by the Regional Office, Patna of Central Board of Secondary Education (CBSE) addressed to the Principal of Scholars Abode from where the petitioner is said to have passed 10th Examination, refusing to accede to the request for correction of the petitioner's date of birth entered in the certificate issued by the CBSE.

It is the case of the petitioner that her date of birth is 04.04.1998, but it has wrongly been recorded as 04.04.1988. She has



passed the 10th examination in the year 2013.

On perusal of the impugned communication, I find that rejection is on the ground that the petitioner's application was time barred.

A counter affidavit has been filed on behalf of the Central Board of Secondary Education stating therein that the time limit prescribed for seeking correction in the certificate is one year and the petitioner had filed her application after lapse of the said period and therefore, the petitioner's claim has rightly been rejected.

It further appears that subsequent to issuance of the communication, the Central Board of Secondary Education has changed the period of limitation pertaining to correction in name and date of birth from one year to five years.

In view of the said circular, now, the petitioner's claim cannot be said to be time barred. This application is, accordingly, disposed of with a direction to the Central Board of Secondary Education to consider the petitioner's case for correction of her date of birth in the certificate, if the petitioner files an application afresh along with all relevant records / documents in support of her claim in accordance with the examination bye-laws.

If the petitioner makes an application afresh within a period of 15 days from today, the same must be decided within two months



thereafter.

(Chakradhari Sharan Singh, J)

ajay gupta/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.12.2017
Transmission Date	12.12.2017

