

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23165 of 2018

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Sahil Raza, S/o- Ramjan Ali, R/o Village – Bakhri Nazir, P.O. - Mehsi, P.S.- Mehsi, District – East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Bihar School Examination Board, Patna through its Chairman.
4. The Chairman, Bihar School Examination Board, Patna.
5. The Secretary, Bihar School Examination Board, Patna.
6. The Additional Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh
For the Respondent State:		Mrs. Neetu Jha, AC to GA-12
For the BSEB	:	Mr. Gyan Shankar,
		Mr. Apurva Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-12-2018 The petitioner had applied for correction of his date of birth in the certificate of having passed Bihar Elementary Teacher Eligibility Test (BETET)-2011, held by Bihar School Examination Board, as according to him, his correct of date of birth is 02.01.1990, whereas in the records 01.01.1990 has been mentioned. The Board has, however, communicated rejection of his application of correction of his date of birth through letter dated 31.08.2018 (Annexure-6), mainly on the ground that BETET, 2011 has lost its term and, therefore, there could not be any correction of date of birth in the certificate in respect of the said examination. It is, however, the case of the petitioner that



result of BETET, 2011 was published in May 2012.

My attention has been drawn to the scheme of holding Bihar Elementary Teacher Eligibility Test with particular reference to a stipulation that seven years is the maximum period up to which a candidate is to be held eligible to be appointed as teacher. It is accordingly the petitioner's contention that the validity of the teachers' eligibility on the basis of BETET, 2011 shall continue up to May 2019.

In response to a query made by this Court, learned counsel appearing on behalf of the petitioner has submitted that if correction of date of birth is not made right now, the petitioner shall be facing problems in making his *online* application for the next BETET.

From Annexure-6, which is impugned in the present writ application, it appears that the Bihar School Examination Board has not gone into the correctness of the petitioner's claim for change of his date of birth. The only apprehension, which the petitioner is carrying is that because of the said entry of date of birth is that he will be facing difficulties in making his *online* application for the next BETET.

Considering the nature of the grievance, I dispose of this writ application with a direction to the Secretary, Bihar



School Examination Board, to take a decision on petitioner's application for correction of date of birth on merits within two months from the date of receipt/production of a copy of this order. No such decision, however, will be required to be taken by the Board, if the Board is of the considered view that such entry in the certificate shall not adversely affect the petitioner's prospect for appearing in the next BETET.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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