

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6518 of 2017

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1. Anand Kishore Jha, son of Raghaweshwar Jha, Resident of Village-Tarauni, Via- Nehra, P.S.- Bahera, District- Darbhanga Petitioner

Versus

1. The Chairman, Bihar School Examination Board, Patna.
2. The Secretary, Bihar School Examination Board, Patna.
3. The Deputy Secretary, Bihar School Examination Board, Patna.
4. The Principal, Sri Daroga Prasad Rai, Uchch Vidyalaya, Saristabad, Patna Respondents

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Appearance :

For the Petitioner : Mr. Dharendra Kumar Jha, Adv.
For the Respondents : Mr. Girijesh Kumar, Adv. for the Board

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-01-2018

Heard learned counsel for the parties.

The petitioner is aggrieved by the decision of the Bihar School Examination Board whereby his application for correction in respect of certain entries made in the matriculation certificate issued by the Board for the examination held in 1990 has been rejected. The petitioner had sought correction in his date of birth as, according to him, 02.03.1974 has entered in the matriculation certificate in place of 02.06.1075. It was further case of the petitioner that the father's name of the petitioner was wrongly entered as Radheshwar Jha in place of Raghweshwar Jha.

The petitioner filed an application for correction in 2007, i.e., 17 years after the certificate was issued in his favour. The petitioner's application was rejected in 2008 itself. The petitioner is said to have preferred appeal against the decision of rejection of his application, which is said to be pending since 2010.

This application has been filed on 28.04.2017, i.e., more than 7 years after the petitioner preferred appeal before the



Chairman, Bihar School Examination Board.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner sought information under Right to Information Act from the Board seeking the grounds for rejection of his application for correction of the entries, which has been supplied. He has, referring to the information received by him, submitted that in the admission register maintained by the school, the petitioner's date of birth was recorded as 06.02.1975. The Board, however, refused to entertain the petitioner's claim on the ground that on the basis of the said sole evidence, the entry could not be altered.

As has already been noticed, the petitioner filed his application for correction of his date of birth nearly 17 years after the issuance of the certificate. The fact that the application was time barred is apparently one of the grounds for rejection of the petitioner's application.

I do not find any reason to interfere with the decision of the Board. There appears to be no justification for the petitioner in approaching the Board after 17 years after issuance of the certificate for correction of the entry of his date of birth and approaching this Court 7 years after rejection of his application by the Board.

So far as the petitioner's date of birth is concerned, in my view, at this stage, on the grounds taken, the same cannot be altered.

So far as the father's name of the petitioner as entered in the matriculation certificate is concerned, if it is a typographical error, the same may be looked into by the Bihar School Examination Board.



Accordingly, I dispose of the writ application with an observation that the Secretary of the Bihar School Examination Board shall look into as to whether there is typographical error while entering the father's name of the petitioner in the matriculation certificate and if it is found to be correct, the Board shall proceed accordingly.

This application stands **disposed of**.

(Chakradhari Sharan Singh, J)

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