

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5594 of 2018

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Faiza Hafiz Daughter of Syed Zafrul Hafiz Resident of Near Masjid, New
Patliputra Colony, Police Station- Patliputra Colony, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Education, New Delhi.
2. The Central Board of Secondary Education, Delhi through its Secretary.
3. The Examination Controller, C.B.S.E. , Delhi.
4. The Regional Secretary, Central Board of Secondary Education, Regional Office, 35-B, M.G. Marg, Civil Lines, Allahabad- 211001(U.P.).
5. The Principal / 09538, Delhi Public School, Village- Chandmari, P.S. Shahpur Contonment, Patna.
6. The Principal , Delhi Public School, Sector-XII, R.K. Puram , Delhi.
7. The Director, Manipal Academy of Higher Education, Manipal Education Building , Madhavnagar, Manipal, Karnataka.
8. The Section Officer, M & M C.B.S.C. Regional Office, Allahabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-07-2018 The petitioner is aggrieved by rejection of her application by the Central Board of Secondary Education, New Delhi (hereinafter referred to as ‘the C.B.S.E.’) with issuance of communication dated 25.11.2017 for correction of her date of birth as recorded in the marksheet/other certificate(s) issued by the C.B.S.E.. The request for correction has been refused on the ground of the same being time barred. The petitioner is said to have passed 10th examination held in the year 2010 by the C.B.S.E.. In the certificate and other documents issued to her



by the C.B.S.E., her date of birth has been recorded as 25.05.1994. More than seven years after she passed the examination, she applied for correction in her date of birth on the ground of entry in the Passport and Aadhar Card.

2. Learned counsel appearing on behalf of the petitioner, submits that at the time of her admission in the school, the petitioner's date of birth was wrongly entered at the instance of her mother, which has resulted into such discrepancies.

3. Refusal by the C.B.S.E. to correct the petitioner's date of birth on the ground of delay does not suffer from any infirmity. The said decision has been taken on the basis of the decision of the C.B.S.E., which requires such application to be filed within five years of passing of the examination. Secondly, the petitioner has not brought on record any clinching material which would have compelled this Court to interfere with the decision of the C.B.S.E.

4. Learned counsel, however, submits that the petitioner's actual date of birth is 25.05.1993. What is the actual date when the petitioner was born cannot be adjudicated upon in the present proceeding under Article 226 of the Constitution of India.



5. It will be open to the petitioner to approach a competent court of civil jurisdiction by way of filing a suit, if so advised.

6. This disposes of the application.

(Chakradhari Sharan Singh, J)

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