

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19609 of 2018

Abdul Samid S/o Abdul Subhan resident of Village + P.O. + P.S. - Gaighat,
District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through Ministry of Human Resource Development Department, Govt. of India, New Delhi.
2. The Chairman, National Institute of Open Schooling, Formerly National Open School, Noida, Capacity Building Cell (CBC), A - 24/25, Sector - 62, Noida, Uttar Pradesh - 201309.
3. The Director (Evaluation), N.I.O.S., Formerly National Open School, Capacity Building Cell (CBC), A - 24/25, Sector - 62, Noida, Uttar Pradesh - 201309.
4. The Examination Controller, N.I.O.S. Formerly National Open School, Capacity Building Cell (CBC), A - 24/25, Sector - 62, Noida, Uttar Pradesh - 201309.
5. The Regional Director, N.I.O.S., Regional Centre, Patna Lalit Bhawan, Ground Floor Bailey Road (Jawahar Lal Nehru Marg), Pin Code - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar Prasad Karn Mr. Chandra Shekhar Anand
For the Respondent/s	:	Mr. S.D Sanjay, Addl. Soc. Gen. Mrs. Punam Kumari Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 28-11-2018 This application has been filed seeking direction to the respondent, National Institute of Open Schooling, to correct his date of birth in the Marks Statement, Provisional Certificate and Migration Certificate. The petitioner's case is that his date of birth is 15.01.1980, whereas, the same has been typed as 01.04.1991 in the said documents.

Petitioner has asserted that earlier he had appeared in the Secondary School Examination conducted by the Bihar



School Examination Board in the year 1997, in which he could not succeed. His date of birth, as mentioned in the admit card, issued by the Bihar School Examination Board was 15.01.1980. A copy of the admit card so issued by the Bihar School Examination Board and marks-sheet issued by the Board have been brought on record, which bear petitioner's date of birth as 15.01.1980. More than a decade after having failed in the secondary examination, the petitioner got himself admitted in the National Institute of Open Schooling, Noida, U.P.

On the basis of what have been asserted in the writ application and the documents, which have been brought on record, I find that since the petitioner had taken admission in Noida, U.P. and only because petitioner was allotted examination centre at Darbhanga, within the territorial jurisdiction of this Court, no cause of action on the point of correction in his date of birth can be said to have arisen within the territorial jurisdiction of this Court.

This application is disposed of with an observation that the petitioner shall have liberty to approach appropriate forum for the redressal of his grievance.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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