

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1073 of 2018

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Ramawtar Prasad Son of Late Chandan Mahto @ Chandan Prasad Resident
of Village-Barwa, P.S.-Govindganj, District East Champaran.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board, Patna through its Chairman.
2. The secretary, Bihar School Examination Board, Patna.
3. The Examination Controller, Bihar School Examination Board, Patna.
4. The Principal, Sri Someshwar Government High School, Arirea, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mukeshwar Dayal
		Mr. Vikas Mohan
For the BSEB		Mr. Lalit Kishore, Sr. Advocate
		Mr. Gyan Shankar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 23-04-2018 The petitioner seeks quashing of an order dated 31.10.2017, issued by the Additional Secretary, Bihar School Examination Board, whereby his representation for correction in date of birth has been rejected on the ground that in terms of the decision of the Board dated 27.09.2006 in the light of the provisions under the Bihar Service Code, no case for correction in date of birth in case of employees shall be entertained after 10 years of passing of Board's examination.

The petitioner is said to have passed the matriculation examination held in the year 1976 by the Board. It is his plea that matriculation certificate was issued to him by the Bihar



School Examination Board which had the date of birth of the petitioner as 10.10.1959. It is his further case that he lost the matriculation certificate, school leaving certificate and other documents, because of which he was required to apply before the Board for supply of duplicate certificate and mark-sheet.

This is an admitted fact that a duplicate certificate was issued to the petitioner by the Bihar School Examination Board on 21.02.2006 containing his date of birth as 10.10.1958. This is the only dispute involved in the present proceeding.

It is the petitioner's plea that the school admission register contains the correct date of birth as 10.10.1959 which has been certified by the Headmaster of the school and the District Education Officer. He had earlier approached this Court by filing a writ application giving rise to CWJC No. 8877 of 2016, whereby the writ application was disposed of with a direction to the respondent to dispose of the petitioner's representation within the stipulated time, pursuant to which the impugned order has been passed.

When the matter was taken up on 16.04.2018, in view of the nature of plea which was being taken on behalf of the petitioner, learned counsel for the Bihar School Examination Board was directed to produce the original tabulation register



maintained by the Bihar School Examination Board which has been produced in a sealed cover. The sealed cover has been opened and I have myself perused the relevant page of the tabulation register from which it transpires that the petitioner's name figures at Serial No. 94 under Roll Code No. 3407. His date of birth has been recorded as 10.10.1958. After having seen the original tabulation register, I do not find any merit in the plea of correction of date of birth, on the basis of entries available in the school register or other documents.

I do not find any merit in this writ application, which is accordingly dismissed.

Let the original tabulation register be returned to the learned counsel for the Board.

(Chakradhari Sharan Singh, J)

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