

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16006 of 2018

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Satya Chandra Samaddar, Son of Sri Niranjan Chandra Samaddar resident of
Pauakhali, Post Office and Police Station - Pauakhali, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Secondary Education, Education Department, Bihar, Ground Floor, New Secretariat, Vika
3. The Chairman, Bihar School Examination Board, Buddha Marg, Fraser Road Area, Patna, Bihar - 800001.
4. The Secretary, Bihar School Examination Board, Buddha Marg, Fraser Road Area, Patna, Bihar 800001.
5. The Controller of Examination, Bihar School Examination Board, Buddha Marg, Fraser Road Area, Patna
6. The District Education Officer, Kishanganj.
7. The In-Charge Headmaster, 2 High School, Pauakhali, Block - Thakurganj, District - Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Navendu Kumar Advocate
For the State	:	Smt. Binita Singh SC28 Ms. Sudhanshu Trivedi AC to SC-28
For the Board	:	Mr. Lalit Kishore Sr. Advocate Mr. Gyan Shankar Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-01-2019 Heard the learned counsel for the petitioner and

the Bihar School Examination Board.

The petitioner seeks direction to the respondent /

Bihar School Examination Board to issue duplicate

matriculation certificate after correcting the clerical error in

the date of birth which has crept in the certificate.



Learned counsel for the petitioner has submitted that the petitioner passed his matriculation examination in the year 1983 and for his having passed the aforesaid examination, a matriculation certificate was issued to him. However, he lost the same and applied for a duplicate certificate which was also given to him on 19.12.2016. To his surprise and dismay, the petitioner found that his date of birth entered in the duplicate certificate is incorrect and in place of his date of birth being 21.03.1965, 21.03.1963 was entered.

Learned counsel for the petitioner has submitted that the actual date of birth which is 21.03.1965 of the petitioner can be verified from the original School Admission Register, TC Guard File, School Leaving Certificate as well as the Admit Card. The aforesaid documents have been submitted by the concerned school through which the petitioner appeared in the matriculation examination to the Bihar School Examination Board but no communication with respect to the correction of the error in the date of birth has been made with the petitioner.



Finding that the representation of the petitioner for correction of his date of birth was being delayed for no apparent reason, the petitioner again submitted a fresh application to the Board, duly forwarded by the Headmaster of the school, along with the Admit Card in original.

Still, the decision at the end of the respondent Board is being awaited. The necessity / urgency of the petitioner for coming to this Court has been occasioned as his certificate is required for his engagement as an Instructor in Mass Education Directorate of the Education Department.

The learned counsel for the respondent / Board however has submitted that he has received telephonic information that perhaps the application / representation of the petitioner has been rejected and the Board in its wisdom has found that there is no error in the date of birth of the petitioner which is mentioned in the duplicate matriculation certificate. However, the aforesaid information as stated by the learned counsel for the Board, is only telephonic and the learned counsel appearing for the Board has not seen the order.



Under such circumstances, this Court directs the respondent Board to take a decision with respect to correction of the date of birth of the petitioner within a period of two weeks from the date of production/communication of a copy of this order, in case no such decision has been taken as yet. In case any decision has been taken, the same may be communicated to the counsel for the petitioner on his approaching the Board within a period of two weeks.

With the aforesaid observation / direction, this writ petition stands disposed off.

(Ashutosh Kumar, J)

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