

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.252 of 2021

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Nisha Kumari D/o Subhash Ram Resident of Village- Puraini Bazar, P.S.-
Puraibi, District- Madhepura, At/Po. Aam Bagicha Gar Mahadev puri,
Gardanibagh, Patna, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India Through the Director Human Resources Development Department, New Delhi.
2. The Director Central Board of Secondary Education (C.B.S.E.) Community Centre, Preet Vihar New Delhi.
3. The Controller of Examination C.B.S.E. New Delhi.
4. The Regional Director Central Board of Secondary Education (C.B.S.E.) Regional Office Raja Bazar Baily Road, Shekhpora, Patna.
5. The Assistant Secretary C.B.S.E. Raja Bazar Baily Road, Shekhpora, Patna.
6. The Principal K.P.S. Memorial High School Bihta School No. 50545, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Advocate Ms. Nitu Kumari, Advocate Mr. Yogendra Kumar Singh, Advocate
For the Respondent/CBSE:		Mr. Vinay Krishna Tripathy, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-11-2021 Heard Mr. Ratneshwar Prasad, learned counsel for

the petitioner and Mr. Vinay Krishna Tripathy, learned counsel

appearing for the Central Board of Secondary Education.

2. The present writ application has been filed for
quashing the order bearing letter No. 15818 dated
17/18.02.2020 whereby the request of the petitioner for
correction in the certificate of All India Secondary School
Examination 2017 concerning father's name and mother's name



has been rejected.

3. Learned counsel for the petitioner submits that the petitioner has submitted an application before the Central Board of Secondary Education (hereinafter referred to as 'CBSE') for correction of his father's name from '**Subhash Kumar**' to '**Subhash Ram**' and mother's name from '**Sharita Devi**' to '**Sarita Devi**' in the Secondary School Examination Certificate for Class Xth.

4. Learned counsel for the CBSE referring to paragraph-10 of the counter affidavit submits that after rejection of the request of the petitioner for correction of father's name and mother's name in the certificate, subsequent development has taken place, inasmuch as Hon'ble Supreme Court in the case of **Jigyada Yadav (minor) through her father Vs. CBSE & Ors. (Civil Appeal No. 3905 of 2011 and analogous cases)** decided on 3.6.2021, has directed the CBSE to make necessary amendments in the Examination Bye-laws. He further submits that CBSE is in the process of making amendments and shall be notified on its website shortly.

5. Learned counsel for the CBSE further submits that if a fresh application for correction of father's name and mother's name is submitted by the petitioner before the CBSE,



the CBSE would consider the same in the light of the Judgment/order passed by the Hon'ble Supreme Court.

6. Having heard learned counsel for the parties and taking into submission made by them and upon perusal of the material on record, the petitioner is permitted to file a fresh application before the CBSE within a period of one month seeking correction in father's name and mother's name. If such an application is filed by the petitioner, the same shall be considered by the CBSE in accordance with law.

7. It is expected that the CBSE will decide the request of correction in the Certificate submitted by the petitioner as early as possible preferably within a period of two months from the date of submission of request by the petitioner.

8. With aforesaid observation and direction, this writ application stands disposed of.

(Anil Kumar Sinha, J)

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