

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6519 of 2022

Manoj Kumar Jaiswal S/o Rampriti Choudhary, Resident of Mohalla-Scout Lane, Kids Play School, Sikandarpur, Muzaffarpur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Chairman, Bihar School Examination Board Patna.
2. The Secondary, Bihar School Examination Board, Patna.
3. The Deputy Secretary, Bihar School Examination Board, Patna, Regional Office, Tirhut Division, Muzaffarpur.
4. The Examination Controller, Bihar School Examination Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Prasad Gupta, Adv.
For the BSEB	:	Mr. Amarendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 22-06-2022 The case is being taken up from defect side.

Learned counsel for the petitioner is directed to submit the original petition along with attested affidavits and also remove all the defects pointed out by the Registry within two weeks from today.

Learned counsel by way of this petition has prayed for making correction of the date of birth from 02.01.1969 to 02.01.1971.

Learned counsel for the petitioner submits that the petitioner has passed the 10th Board Examination on 18th July 1984 and thereafter he submitted a representation in the year 1986, thereafter he submitted a representation on 31.01.1999



and on 18.08.1999 then on 05.10.1999 and thereafter on 30th July, 2021.

The Bihar School Examination Board considering the representation of 01.09.2021, found that there is no document with current data issued by the Bihar School Examination Board. It was also found to be time barred case and it was also observed that if the date of birth is corrected, the candidate namely the petitioner would be less than 14 years of age during Matriculation exam.

Considering the said aspect, the Committee has rejected the application for change of date of birth.

Learned counsel submits that the application cannot be treated as time barred as the applicant had applied way back in the year 1986 and has been continuously pursuing his case for correction of date of birth.

I have considered the submission, it shows that the applicant himself has remained silent after 1986 up to 1999 and thereafter from 1999 up to 2021. Moreover, he has not being serious of getting his date of birth corrected as alleged by him, for almost 38 years and has approached this Court only in the year 2022. The delay and latches is fatal to the case. Further, this Court also notices that the claim for change of date of birth



is also not admissible because if such a date of birth is corrected, the petitioner could not have participated in the Board examination in the year 1984 as he would be less than 14 years of age and would be, therefore, ineligible at that particular time.

Taking into consideration all the aspects as has been noticed by the B.S.E.B., this Court does not find any reason to warrant interference with the said order.

The writ petition is without merits and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 40

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