

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15184 of 2021

=====

Parwati Kumari D/o Late Ramchandra Sah and W/O Sri Lakshman Sah, R/o
Village - Banauli, P.S.- Sursand, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The Secretary, Bihar School Examination Board Bihar, Patna.
2. Deputy Secretary Bihar School Examination Board, Regional Office-
Muzzafarpur.
3. The Principle/Head master, Babulal Sah, Balika Uchchavidyalya, Bara
Chakiya, District - East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.1, Adv.
For the Respondent/s : Mr. Lalit Kishore, Adv.

=====

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 16-09-2022 Heard the parties through video conferencing.

1. The petitioner by way of this writ petition prays for mandamus as against respondents to issue original certificate of matriculation which the petitioner have passed in the year 1992. The writ petition has been preferred in the year 2021.

2. A representation has been placed on record, Annexure P1 whereby for the first time he has demanded the certificate on 09.01.2017. The same was entertained to the extent of demanding certain documents from the petitioner and therefore the Bihar School Examination



Board, Patna has rejected the application on the ground that the claim for the original certificate has been made after more than 10 years. Learned counsel submits that the duty is with the Bihar School Examination Board to release the certificate and they cannot be absolved of their own fault and a ground of delay could not have been taken by a Board.

3. I have considered the submissions.

4. Demanding of original certificates from the Board within time is relevant consideration. If a person moves an application after more than 10 years, there can be other possibility that he may have received the original certificate and lost it and is demanding again the said certificate as an original one. The Board, therefore, is not bound to entertain such applications and in the opinion of this Court it has rightly treated the application as time barred. The contention of the learned counsel for the petitioner that the fault lies with the Board is also without substance because if there had been fault on the part of the Board the petitioner would have demanded the certificate within time. However it appears that for almost 25 years he



has remained silent and did not demand original certificate
and no reasons have come forward for the said delay.

5. The writ petition is wholly misconceived and is
accordingly dismissed.

(Sanjeev Prakash Sharma, J)

shaswat/-
Item No. 13

U			
---	--	--	--

