

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6938 of 2021

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Prince Kumar Son of Bhikhari Prasad Resident of Village - Kobeya, Nerar - Middle School, Ward No. 1, P.O. - Panapur, P.S. - Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Human Resources Development Department, Govt. of India, New Delhi.
2. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Chairman, National Institute of Open Schooling through the Regional Director, (NIOS), Lalit Bhawan, Bailey Road, Patna.
4. The Director (Education), National Institute of Open Schooling (NIOS), Lalit Bhawan, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the Union of India	:	Mr. Awadhesh Kumar Pandey, SCGC
		Mr. Ravinder Kumar Sharma, Advocate.
For the State	:	Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-04-2023 Heard learned counsel for the parties concerned.

The petitioner has filed the present writ application for a direction to the Regional Director, National Institute of Open Schooling, Regional Centre, Patna, to correct the mother's name of the petitioner in DEL.Ed certificate and marks-sheet. In the aforesaid certificate and marks-sheet, the mother's name of the petitioner is recorded as "***Malti Devi***" instead of "***Champa Devi***".

According to the petitioner, he has obtained Diploma



in Elementary Education (DEL.Ed) for the Sessions 2017-19 in the year 2019 but his mother's name has wrongly been mentioned in the DEL.Ed certificate and the marks-sheet.

Mr. Awadhesh Kumar Pandey, learned senior counsel appearing for the Union of India placed reliance upon paragraph 10 of the counter affidavit which is as follows:-

“That it is further submitted that subsequently respondent authority issued a notification no. 23/2022 vide f.no.21-4/2022/NIOS/SSS/ADM/39 dated 06.07.2022 in pursuance to the recommendations of the committee constituted in connection with revision of the Rules, Regulations and Guidelines Effecting Corrections/Changes in the Admission Records of the NIOS keeping in view the judgment dated 03.06.2021 passed by the Hon'ble Supreme Court of India in the case of Jigya Yadav vs. CBSE and others. The revised norms are as under according to revised norms correction made by NIOS. Further the learner has to surrender/return the original certificate issued by the NIOS replacing the earlier certificates after carrying out necessary corrections and payment of requisite fee prescribed by the NIOS”.



Having heard learned counsel for the parties and taking into consideration the stand of the Union of India in Paragraph-10 of the counter affidavit, this writ application is disposed of with a direction to the petitioner to file an application/representation before the appropriate authority for correction of the name of his mother as per the Notification No. 23/2022 vide f.no. 21-4/2022/NIOS/SSS/ADM/39 dated 06.07.2022.

If such an application/representation is filed before the competent authority within fifteen days, the concerned authority shall take a decision for correction of name of petitioner's mother in the DEL.Ed. certificate and marks-sheet within a period of one month from the date of filing of said application/representation.

(Anil Kumar Sinha, J)

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