

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7444 of 2023

Shikha Kumari C/o- Angraj Suman, Resident of Village-Sitalpur, Dariapur,
District-Munger, Bihar-811202. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Education Department, Government of Bihar, Patna.
2. The Secretary, Bihar School Examination Board, Patna.
3. The Exam Controller, Bihar School Examination Board, Patna.
4. The District Magistrate-Collector, Samastipur.
5. The District Education Officer, Samastipur.
6. The District Programme Officer, Samastipur.
7. The Headmaster, Balika Middle School, Rosra, Block- Rosra, Samastipur.
8. The Registrar (Birth and Death), Municipal Corporation, Munger.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Shekhar Kumar Singh, Advocate Mr. Amit Kumar Singh, Advocate Mr. Raja Surendra Moha, Advocate
For the Respondent/s	:	Smt. Binita Singh, SC-28
For the BSEB	:	Mr. Gyan Shankar, Advocate
For the Corporation	:	Mr. Anjani Kumar, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner, learned counsel

for the Bihar School Examination Board and learned senior counsel

for the Registrar (Birth and Death), Municipal Corporation, Munger

as also learned counsel for the State.

The petitioner in the present case is seeking the following
reliefs:-

“I. For issuance of writ/writs, order/orders,
direction/directions in the nature of Mandamus
directing the respondents to immediately make
correction of the date of birth of the petitioner in
Matriculation Educational Qualification
Certificate, Date of Birth of the petitioner has
been mentioned in the original Matriculation



Certificate on 30.02.1995 instead of 28.02.1995.

II. For further prayed for seeking direction upon the respondents particular the Exam Controller, BSEB, Patna for correction the date of Birth of the petitioner in the original certificate, mark sheet, and registration card of Matriculation issued by the BSEB, Patna and the Date of Birth of the petitioner is wrongly been mentioned as 30.02.1995 whereas the correct date of Birth of the petitioner is 28.02.1995. So, far the petitioner was appeared in the examination of BSEB, Patna in the year 2010 and the Reg. No. of the petitioner is 6308627776-10 and the petitioner passed out the matriculation with second division and has got total marks 298.

III. For further prayed for seeking direction upon the Respondents particular the Respondent No. 3 to also issue the Original Matriculation Certificate after correcting the date of Birth to the petitioner and the correct date of birth of the petitioner is 28.02.1995, but in the mark sheet of matriculation the date of birth of the petitioner has wrongly been mentioned as 30.02.1995.

IV. For further seeking direction upon the respondents to immediately issue the matriculation original certificate as well as provisional certificate of the petitioner because the petitioner appeared in the examination in the year 2011 but till today only marksheet has been issued therefore the petitioner praying for seeking direction upon the respondents after correction of dob of the petitioner issue the original matric as well as provisional certificate. Matriculation.

V. For further any relief/reliefs, order/orders, direction/directions, may deem fit and proper in the facts and circumstances of this case.”

Learned counsel for the petitioner submits that there had been a mistake with regard to the date of birth in the school leaving certificate of the petitioner and the same has led to the mistake in the matriculation certificate as well. It is submitted that the Month of



February cannot be of 30 days, therefore, there is no question of the date of birth being 30.02.1995. The correct date of birth is 28.02.1995. In this regard, the birth certificate which has been issued on 06.05.2022 by respondent no. 8 has been enclosed as Annexure '7' to the writ application.

Since the date of birth certificate (Annexure '7') has been issued by the Department of Planning and Development, Government of Bihar, this being a public document, this Court directs the concerned school (respondent no. 7) and the Secretary, Bihar School Examination Board (respondent no. 2) to take into account Annexure '7' to the writ application and make necessary corrections with regard to the date of birth of the petitioner taking it as 28.02.1995 instead of 30.02.1995.

Let such corrections be carried out within a period of two months from the date of receipt/production of a copy of this order. First of all respondent no. 7 shall make correction within a period of 30 days and shall send the school records after correction to respondent no. 2 whereupon respondent no. 2 shall do the needful within the next one month and shall issue fresh certificate.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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