

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25295 of 2019

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1. Hemant Kumar Son of Sri Deo Muni Prasad Resident of A/18, Surbhi Path, New Jakkanpur near Shiv Mandir, Mithapur, Patna- 800001, P.S. Jakkanpur, District- Patna.
 2. Aditya Harshit (Minor) Son of Hemant Kumar, (Under the guardianship of his father) Resident of A/18, Surbhi Path, New Jakkanpur near Shiv Mandir, Mithapur, Patna- 800001, P.S. Jakkanpur, District- Patna.

... .. Petitioners.

Versus

1. The Chairman, C.B.S.E. Shiksha Kendra 2, Community Centre, Preet Vihar, Delhi- 110092.
2. The Regional Director, C.B.S.E. Ambika Complex, Sekhpura, Raja Bazar Bailey Road, Patna.
3. The Government of Bihar Publication Division, Gulzarbagh, Patna.
4. The Principal, B.D. Public School, Budha Colony, Patna.
5. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.

... .. Respondents.

Appearance :

For the Petitioners	:	Mr. Om Prakash Upadhyay, Advocate
For the C.B.S.E.	:	Mr. Vinay Krishna Tripathy, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey, AAG-15

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 29-07-2024 Heard learned counsel for the petitioners and learned counsel for respondents.

2. The petitioners have approached this Court for challenging the order dated 15.10.2019 issued vide Memo No.CBSE/RO/PTN/EXAM/575/2019 addressed to the Principal, B.D. Public School, Buddha Colony, Patna, Bihar and a copy of the same has been furnished to the petitioner no.1 in reply to his R.T.I. application.

3. It is to be noted here that for redressal of their



grievances, the petitioners had earlier moved before this Court by filing C.W.J.C. No.16456 of 2018, which was disposed of vide order dated 11.04.2019, directing the petitioner no.1, who is father of petitioner no.2, to file a representation before the respondent no.1 within a period of four weeks from the date of the order.

4. It is submitted on behalf of the petitioners that in compliance of the order dated 11.04.2019, petitioner no.1 sent a representation through speed post on 20.04.2019, which was received on 24.04.2019 in the office of respondent no.1. It is further submitted that in reply to the application filed under R.T.I. by petitioner no.1 with regard to the representation filed by him, it is informed by the CBSE that *“It is inform you that your case for correction in candidate name and date of birth in respect of Ananya Harshit for AISSE-2020 has been regretted by the Competent Authority as the desired correction was not supported by admissible School records.*

5. Mr. Vinay Krishna Tripathy, learned counsel appearing for the C.B.S.E., submitted that the petitioners once again may be relegated to the Chairman of the C.B.S.E. inasmuch as the C.B.S.E. has regretted for making correction on the ground that the desired correction was not supported by



admissible School records.

6. In the facts and circumstances of the case and in view of the submission as aforesaid, for correction of his name, the petitioner no.2 is directed to follow the procedures as laid down in the case of **Jigya Yadav Vs. Central Board of Secondary Education and others** reported in **(2021) 7 SCC 535** and for correction of his date of birth, he is directed to once again approach before the Chairman of the C.B.S.E. by filing a detailed representation along with all supporting and relevant documents within a period of three weeks from today and the Chairman of the C.B.S.E. is directed to consider the representation of the petitioner no.2 and pass a reasoned and speaking order within a period of three months.

7. It is made clear that in case of non-compliance of this order within the stipulated period may entail to serious consequences.

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

(Anjani Kumar Sharan, J)

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