

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.423 of 2024

Prince Bhagat S/o Harimohan Bhagat and Rekha Devi Resident of ward No 5,
Simiri Bakhtiyarpur, PS Bakhtiyarpur, District Saharsa, PIN-852127, Bihar.

... .. Petitioner/s

Versus

1. The Central Board Of Secondary Education represented by its Secretary (Administration), Siksha Kendra, Community Centre, Preet Vihar, Delhi.
2. The Secretary (Legal), Central Board of Secondary Education, Siksha Kendra, Community Centre, Preet Vihar, Delhi.
3. The Controller of Examination, Central Board of Secondary Education, Siksha Kendra, Community Centre, Preet Vihar, Delhi.
4. The Under Secretary, Central Board of Secondary Education, Regional office, Patna.
5. The Regional Officer, Central Board of Secondary Education, Todarmal Marg, Ajmer - 305030

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Prakash, Adv.
For the CBSE : Mr. Vinay Krishna Tripathy, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 29-03-2024

Heard learned counsel for the petitioner and
learned counsel for the Central Board of Secondary Education.

2. This writ petition has been filed for the following
reliefs:

*I. For issuance of an appropriate writ /
writs in the nature of CERTIORARI for
quashing Letter No. -N. K. Ma. Shi.
Bo./S.E./Patna /Pra. Patra.
Shakha/1271/17/2023 dated 17-10-2023
issued under the signature of the Under
Secretary, Central Board of Secondary
Education, Regional Office, Patna
whereby and whereunder the concerned
authority while acting upon a request*



sent through the Principal, Kiran Public School vide Letter No. - KPS/VKSS-206/23/24 dated 07-08-2022 has acted in an arbitrary manner with ulterior motives and mala fide intent and has rejected the legitimate request of the petitioner herein to get his rectified name i.e. Prince Bhagat incorporated in all Central Board of Secondary Education (C.B.S.E.) records based upon the Gazetted Notification dated 06-05-2023 and all other documents issued to the incumbent petitioner by the appropriate government in order to maintain consistency and to avoid ambiguity with regards to his candidature and/or his name.

II. For issuance of a writ / writs in the nature of MANDAMUS for a direction / directions, order / orders to the concerned respondent authorities to forthwith act upon the legitimate request of the Petitioner and to take all appropriate recourse to get the revised name / rectified name / amended name / corrected name i.e. Prince Bhagat appropriated / incorporated in place of the current recorded name as per the Central Board of Secondary Education (C.B.S.E) record i.e. Prem Kumar pertaining to the candidature / identity



of the incumbent petitioner in all relevant and related records of Central Board of Secondary Education (C.B.S.E.) for all future purposes pursuant to the gazetted notification pertaining to his name change dated 06-05-2023 so that there remains no ambiguity whatsoever with regards to the actual name of the petitioner and the name on all other educational certificates issued to him by the appropriate educational boards in India and / or Identity Proofs issued to him by the Central / appropriate State Government.

III. For issuance of any other writ/writs, direction / directions, order/ orders to which the petitioner may be entitled to in the facts and circumstances of this present case.

3. Learned counsel for the petitioner submits that the petitioner had filed representation before the respondent nos. 1 to 5 for changing his name as Prince Bhagat in place of Prem Kumar but the respondent authorities has rejected the claim of the petitioner. Learned counsel for the petitioner has relied upon a judgment of this Court passed in C.W.J.C. No. 13486 of 2022 dated 24.02.2023.

4. Considering the facts and circumstances of the



case, this writ petition is disposed of with direction to the petitioner to file a fresh detailed representation before the Regional Officer, Central Board of Secondary Education, Todarmal Marg, Ajmer (respondent no. 5) along with all supporting judgments and documents within a period of two weeks and the respondent no. 5 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and positive order in accordance with law within eight weeks thereafter.

5. Needless to state that respondent no. 5 shall be solely liable for non-compliance of this order within the stipulated period.

6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner.

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

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.03.2024
Transmission Date	NA

