

ASR 1.
Ct. no. 236.
03.10.2024

WPA 23587 of 2024

**Rishab Bose & Anr.
Vs.
State of West Bengal & Ors.**

**Mr. Sanjit Singh
.....For the petitioners
Ms. Koyeli Bhattacharyya
....For the WBBSE
Mr. Supriyo chattopadhyay
Ms. Sayantane Bhattacharjee
....For the State
Mr. Arindam Sen
Mr. Saurav Bose
.....For the Respondent no 5**

Learned Advocate for the petitioners and
learned Advocate for the respondents are present.

Heard learned Advocates.

This writ application is directed against the
in action of respondent no. 2 in considering the
representation made by the petitioner through his
learned Advocate on 9.05.2024 being annexure P-
2 to the writ petition.

The writ petitioner has contended that the
petitioner no. 1 was born at the college of
Medicine G.I.N.M. Hospital, Kalyani, Nadia on
04.10.2003 and his date of birth was recorded in
the Birth Register of the Kalyani Municipality
wherein the name of his father was recorded as
Ashish Bose and name of mother as Rumpa Bose

(Paul) and the address of the parents at the time of birth of the child was recorded as Halisahar Panditpara (B.B.G. Sarani) with Registration number 9318/2003 and date of Registration as 17.12.2003 and that on 18.11.2022 the petitioner no. 1 had affirmed an affidavit before the Metropolitan Magistrate, Kolkata swearing that his actual name was Rishab Bose and that of his father Ashish Bose as recorded in his birth Certificate which is the first document in time and as per the Evidence Act shall prevail over all other document where the name of the petitioner no. 1 has been wrongly and/or erroneously recorded as Rihan Ansari, son of Md. Iftekar Alam, who is the step father of the petitioner no. 1 whom the mother of the petitioner remarried during his childhood and got all the official documents of the petitioner no. 1 changed from Rishab Bose to Rihan Ansdari behind his back and without his consent and/or knowledge with an ulterior motive. The petitioner has filed a copy of the registration certificate and the birth certificate of West Bengal board of Secondary Education.

Learned Advocate appearing for the school authority submits that in the school register also the petitioner's father name is recorded Md.

Iftekar Alam. Learned Advocate appearing for the Board of secondary Education submits that the proper way for correction of name of father name is by filing up the prescribed form which the petitioner has not done. As the petitioner has simply sent his representation through his learned Advocate, it cannot be considered.

Considering the facts and circumstances of the case, the petitioner no. 1 is granted a liberty to fill up the prescribed form which is required to cause change of name or father's name or any other particulars as mentioned in the Admit Card and Mark sheet and submit the same before the respondent no. 2. The respondent no. 2 upon submission of the prescribed form shall consider and decide the same upon hearing the petitioners and the school authority if required and take a decision in accordance with law by passing a reasoned order within a period of one month from the date of submission of the prescribed form.

This writ application stands disposed of.

As affidavits were not invited, the allegations made are deemed not to be admitted.

(Biswaroop Chowdhury,J)