

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.55 of 2025

In
Civil Writ Jurisdiction Case No.10321 of 2024

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1. Sameer Raj @ Sameer Raj Sinha Father Sri Arun Kumar Sinha, Resident of 63, C/C, South of Post Office Building, Mohalla- Peoples Co-operative Colony, Post Office- Loha Nagar, District- Patna.
 2. Sri Arun Kumar Sinha S/o Late Yogeshwar Prasad Sinha, Resident of 63, C/C, South of Post Office Building, Mohalla- Peoples Co-operative Colony, Post Office- Loha Nagar, District- Patna.

... .. Appellant/s

Versus

1. The Union of India through Secretary (School of Education, and Literacy), Ministry of Human Resource Department, Shastri Bhawan, New Delhi.
2. The State of Bihar, through Additional Chief Secretary, Education Department, New Secretariat, Patna.
3. The Director, Secondary Education, Education Department, New Secretariat, Patna.
4. Chairman, Central Board of Secondary Education, Shiksha Kendra, 2, Community Centre, Preet Vihar, New Delhi.
5. Secretary, Central Board of Secondary Education, Shiksha Kendra, 2, Community Centre, Preet Vihar, New Delhi.
6. Regional Officer, Central Board of Secondary Education, Regional Office- Ambica Complex, Behind SBI Colony, Near Brahmasthan, Shikhpura, Bailey Road, Patna-800014.
7. B.D. Public School, Buddha Colony, Patna through its Director Mr. S.B. Rai.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Anurag Saurav, Advocate Mr. Sharde Raje Singh, Advocate
For the CBSE	:	Mr. Vinay Krishna Tripathy, Advocate
For the State	:	Mr.AAG-13

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 04-02-2025 This case is an illustration of a student who in



every probability or likelihood is expected to burn out because of his desire to over excel and over perform.

2. The appellant had performed very well in the studies and had approached this Court earlier seeking a direction to the CBSE to permit him to appear in the 10th standard examination even when he had not completed the minimum of 15 years of age.

3. When such a request was made to the Court, he was about 10 years of age.

4. Nonetheless, the Court finding the performance of the appellant to be exemplary, gave a window to him to approach the CBSE, which in turn was directed to take into account the performance of the appellant and take a decision regarding permitting him to appear in the examination even when he was under-age.

5. The CBSE gave good and cogent reasons for rejecting such a prayer made by the appellant.

6. Such decision of the CBSE has been affirmed by a bench of this Court vide order dated 08.01.2025



passed in CWJC No. 10321 of 2024, which is under challenge in the present appeal.

7. There is no reason why the minimum age fixed by the State Government for a 10th standard student should be breached and the appellant be permitted to waive such requirement only on the ground of his having shown great promise in the past.

8. The appellant would be well advised to show his brightness when he comes of age to appear in such examination.

9. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

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