

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8598 of 2025

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1. Aditya Raj Son of Dharendra Kumar, resident of village- Dularpur, P.O.- Lakhanpur, P.S.- Punpun, District- Patna, at present resident of Mohalla- Ashok Nagar, Road No 11, PS- Kankarbagh, District- Patna, Bihar,
 2. Ashish Raj, Son of Dharendra Kumar, resident of village- Dularpur, P.O.- Lakhanpur, P.S.- Punpun, District- Patna, at present resident of Mohalla- Ashok Nagar, Road No. 11, P.S.- Kankarbagh, District- Patna, Bihar,
 3. Dharendra Kumar Son of Bijay Kumar Singh Resident of Village - Dularpur, P.O. - Lakhanpur, P.S. - Punpun, District- Patna at present resident of Mohalla - Ashok Nagar Road No. - 11, P.S. Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Central Board of Secondary Education Delhi through its Director.
2. The Examination Controller/Controller of Examination Central Board of Secondary Education, Delhi
3. The Regional Director, Regional Office of C.B.S.E. Board, Patna.
4. The Controller of Examination Regional Office of C.B.S.E, Board, Patna
5. The Regional Officer, Regional Office of C.B.S.E. Board, Patna
6. The Principal, Dr. D.Y.P.P. Inter School, Brahampur R.K. Nagar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Advocate Mr. Sahjanand Sharma, Advocate
For the Respondent/s	:	Mr.Vinay Krishna Tripathy, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 23-09-2025

Heard the parties.

2. The petitioners before this Court are twin brother, who have invoked the jurisdiction of this Court through their guardian, seeking a direction upon the respondents to correct their respective date of birth in their Marks Sheet-cum-Certificate and other concerned certificates issued by Central



Board of Secondary Education, New Delhi in secondary school examination, 2024 with correct date of birth as 24.03.2009 in place of 24.03.2007 where registration of petitioner No.1 for Secondary School Examination, 2024 is P124/65666/0115 and Roll No. is 22223495 as well as Registration No. of petitioner No.2 for Secondary School Examination, 2024 is P124/65666/0120 and Roll No. is 22223500.

3. Learned advocate for the petitioners submitted that despite repeated requests and the representation filed before the concerned authorities, the copy of which have been placed on record vide Annexure-P/7 series, the correction could not be done and, as such, the petitioners, through their guardian, have approached this Court.

4. While adverting to the aforesaid facts, learned advocate for the petitioners has also placed reliance upon a decision rendered by the Apex Court in the case of **Jigya Yadav Vs. Central Board of Secondary Education & Ors.**, reported in **2021 (7) SCC 535**. It would be worth benefiting to quote paragraph-194 and 194.1 of the judgment:-

“194. As regards request for “*change*” of particulars in the certificate issued by the CBSE, it presupposes that the particulars intended to be recorded in the CBSE certificate are not consistent



with the school records. Such a request could be made in two different situations. The first is on the basis of public documents like birth certificate, Aadhaar card, election card, etc. and to incorporate change in the CBSE certificate consistent therewith. The second possibility is when the request for change is due to the acquired name by choice at a later point of time. That change need not be backed by public documents pertaining to the candidate.

194.1. Reverting to the *first category*, as noted earlier, there is a legal presumption in relation to the public documents as envisaged in the 1872 Act. Such public documents, therefore, cannot be ignored by the CBSE. Taking note of those documents, the CBSE may entertain the request for recording change in the certificate issued by it. This, however, need not be unconditional, but subject to certain reasonable conditions to be fulfilled by the applicant as may be prescribed by the CBSE, such as, of furnishing sworn affidavit containing declaration and to indemnify the CBSE and upon payment of prescribed fees in lieu of administrative expenses. The CBSE may also insist for issuing public notice and publication in the Official Gazette before recording the change in the fresh certificate to be issued by it upon surrender/return of the original certificate (or duplicate original certificate, as the case may be) by the applicant. The fresh certificate may contain



disclaimer and caption/annotation against the original entry (except in respect of change of name effected in exercise of right to be forgotten) indicating the date on which change has been recorded and the basis thereof. In other words, the fresh certificate may retain original particulars while recording the change along with caption/annotation referred to above (except in respect of change of name effected in exercise of right to be forgotten).”

5. In view of the nature of the grievance and the settled position, as narrated hereinabove, instead of keeping the matter pending, this Court deems it apt and proper to dispose of the writ petition with a direction to the respondent Nos. 3 and 4 to consider the representation of the petitioners, copy of which is marked as Annexure-P/7 series to the writ petition, and take appropriate action in the matter. If claim of the petitioners is found *bona fide*, necessary correction must be done preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

6. The writ petition stands disposed of.

(Harish Kumar, J)

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