

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10321 of 2024

1. Sameer Raj @ Sameer Raj Sinha through his 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- People's Co-operative Colony, P.S- Kankarbagh, Post Office - Loha Nagar, District- Patna.

... .. Petitioners.

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 Brahmsthan, Sheikhpura, Bailey Road, Patna-800014.
7. B.D Public School, Buddha Colony, Patna through its Director Mr. S.B.Rai.

... .. Respondents.

Appearance :

For the Petitioners	: Mr. Anurag Saurav, Advocate
For the CBSE	: Mr. Vinay Krishna Tripathy, Advocate
For the Respondent Nos.2 & 3	: Mr. Kamlesh Kishore, AC to SC-2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-01-2025 Heard learned counsel for the petitioners, learned counsel
for the CBSE and learned counsel for the respondent nos.2 & 3.

2. The present writ application has been filed for following
reliefs:-

I. For issuance of writ in the nature of
mandamus directing the respondent
authorities to permit the petitioner's son to



appear at the Board Examination of AISSE (All India Secondary School Examination)-2025, Whereas the Petitioner's son is aged about 10 Year & 10 months and presently studying in Class IX thof B.D. Public School (C.B.S.E Affiliation No.33008) and will be eligible to appear in Class Xth in the year 2025, but the CBSE Examination Portal software is not accepting the Registration Form for appearance in Matriculation Examination, of the petitioner's son and showing the date of birth out of range.

II. For Issuance of Writ in the nature of Mandamus directing the respondent authority to accept the Registration Form of the Petitioner, as the last date for acceptance of Registration Form for appearing at the Board Examination of AISSE- 2025 is 20.10.2023., as the CBSE has not authority to impose age restrictions in the Examination as per Rule 6.1 (iii) of Examination Bye Laws 1995, which states that the minimum and maximum age limit will be determined by the State/UT Governments.

III. For Issuance of Writ in the nature of Mandamus directing the respondent authority to accept the petitioner's application of Registration Form, in special condition or provide special facility for acceptance of Registration Form of the petitioner's



son, as the same get rejected on technical ground by CBSE Examination Portal Software.

IV. For Issuance of Writ in the nature of Mandamus directing the respondent authority to consider the representations filed by the petitioner and take a firm decision of petitioner's son appearance in Matriculation Examination otherwise the entire carrier of Petitioner's son will get spoiled.

V. For any other relief or reliefs which may the petitioner is entitled in the eye of law.

3. It appears that petitioner no.1 had filed a writ application, bearing C.W.J.C. No.17241 of 2023, through his guardian, petitioner no.2 for a direction to the respondent authorities specially C.B.S.E. to permit the petitioner no.1 to appear in the Board Examination of AISSE (All India Secondary School Examination), 2025 and also to direct the C.B.S.E. to allow/accept the registration of the petitioner no.1 in C.B.S.E. even though the petitioner no.1 is aged about 10 years and 10 months i.e. below 15 years of age. On 11.01.2024, a coordinate Bench of this Court vide a detailed judgment has been pleased to observe, *inter alia*, as follows:

“9. Considering the aforesaid discussions and the result shown by the petitioner no.1, in my considered opinion, the petitioners may



file a representation before the Chairman of the C.B.S.E. along with all relevant papers/results of the petitioner no.1 within a period of twenty days from today and if such a representation is filed, the Chairman of C.B.S.E. is directed to consider the same.”

4. In pursuance of the judgment aforesaid, the petitioner no.2 filed representation before the Chairman of the C.B.S.E. and the C.B.S.E. vide its reasoned and speaking order dated 20.05.2024, while disposing of the representation of the petitioners, rejected the claim of petitioner no.1.

5. Having heard the parties, after going through the case records and the impugned order, I do not find any infirmity or illegality in the order dated 20.05.2024 passed by the C.B.S.E. In the result, this writ application is dismissed.

(Anjani Kumar Sharan, J)

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