

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1200 of 2019

In
Civil Writ Jurisdiction Case No.14653 of 2019

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1. Rakesh Kumar S/o Late Kedarnath Resident of Mo. Zani Bajar, ward no. 23, PO and PS- Sasaram District- Rohtas.
 2. Ritik Kumar, (Minor), Son of Rakesh Kumar under guardianship of natural guardian and father who has got no adverse interest against the minor. Resident of Mo. Zani Bajar, ward no. 23, PO and PS- Sasaram District- Rohtas.

... .. Appellant/s

Versus

1. The Union of India through the Principal Secretary, Ministry of Education, Shastri Bhawan, New Delhi.
2. The Central Board of Secondary Education through Chair Person, Shiksha Kendra-2, Community Center, Preet Viha, New Delhi.
3. The Secretary, the Central Board of Secondary Education, Shiksha Kendra-2, Community Center, Preet Vihar, New Delhi.
4. The Examination Controller, Central Board of Secondary Education, Shiksha Kendra-2, Community Center, Preet Vihar, New Delhi.
5. The Regional Director, Central Board of Secondary Education, Regional Office, Ambika Complex, Sheikhpura, Raja Bajar, Bailey Road, Patna.
6. The Section officer (M and M), Central Board of Secondary Education, Regional office, Ambika Complex Sheikhpura, Bailey Road Patna- 14.
7. The Director, DAV College Managing Committee, Chitragupta Road, New Delhi- 55.
8. Regional Director, DAV Public Schools, Patna Zone, Arya Samaj Manidr, New Bailey Road, Danapur, Patna.
9. The Principal, D.A.V. Public School, Hansraj Nagar, Admapur, Sasaram District- Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. D.K. Sinha, Sr. Advocate
		Mr. Bajarangi Lal, Advocate
For the Resp Nos. 7 to 9 :		Mr. Anil Kumar Singh, Advocate
		Mr. Sanjay Kumar Singh, Advocate
For the Res Nos. 2 to 6	:	Mr. Vinay Krishna Tiwary, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 09-09-2025 Core issue involved in the present lis is whether appellant no.2-Ritik Kumar is entitled to alter his date of birth from 11.11.2000 to 11.11.2002 in the mark-sheet and certificate issued by the Central Board of Secondary Education or not under the writ jurisdiction? Disputed issue like alteration of date of birth is required to be adjudicated only under civil court jurisdiction. Therefore, writ petition is not maintainable. Accordingly, the present LPA stands disposed of.

2. Whatever the order passed by the learned Single Judge would not be a hurdle insofar as filing civil suit by the appellant no.2-Ritik Kumar in seeking a declaration that his date of birth is 11.11.2002 and not 11.11.2000 by producing necessary cogent material evidence as well as oral evidence.

3. With the above observation, the present LPA stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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