

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16959 of 2024

Sanu Kumar, Son of Sanjay Prasad Gupta, Resident of Near Neem Ped
Bhareti, P.O. and P.S.- Wazirganj, District-Gaya 805131

... .. Petitioner/s

Versus

1. Central Board of Secondary Education Shiksha Kendra, Community Center Preet Vihar, De-110092 through its Secretary.
2. The Regional Office, Director Central Board of Secondary Education Akbika Complex, Bailey Road Near Brahmasthan, Raja Bazar, Sheikhpura Patna-800014.
3. Oxbridge International School At Erro, Wazirganj, Gaya 805131 through its Principal

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha
For the Respondent/s : Mr. Vinay Krishna Tripathy

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 11-12-2025

Heard the parties.

2. The petitioner has successfully passed All India Secondary School Examination (AISSE), 2018 from Central Board of Secondary Examination. However some trivial mistake occurred in the Passing Certificate, Marks Sheet and Migration Certificate in the petitioners date of birth and his father's name, which could not be rectified despite his all efforts. Hence the present writ application.

3. Learned Advocate for the petitioner submitted that the petitioner having completed his study from Oxbridge International School, Erro, Wazirganj, Gaya filled up the



registration form for AISSE, 2018 and as per the School record his father's name was mentioned as Sanjay Prasad Gupta alongwith the date of birth of the petitioner as 29.10.2003. It is not in dispute that the registration certificate issued in favour of the petitioner, his father's name and date of birth was correctly mentioned and accordingly admit card was issued. However, in the admit card the father's name was wrongly printed as Sanjay Parsad Gupta and date of birth was wrongly printed as 23.08.2003 in place of 29.10.2003. The petitioner declared passed in the AISSE, 2018 examination and accordingly, all the marks sheet and certificates have been issued, but with the incorrect father's name and the date of birth. The petitioner approached before the respondent School by filing an appropriate application for correction of his father's name and date of birth in the certificates issued by the respondent no. 1. The representation for necessary correction in the father's name and the date of birth has been placed on record.

4. Respective counter affidavits have been filed on behalf of respondent School and the Central Board of Secondary Education. It is informed to this Court that on receipt of the application, the original attested documents of the petitioner for necessary correction alongwith the entire papers sought by the



respondent Board for correction in the name of the petitioner's father and date of birth have been duly sent by the School to the office of the Central Board of Secondary Education on 27.06.2025.

5. Learned Advocate for the Central Board of Secondary Education has submitted that the application for correction in date of birth duly forwarded by the Head of the School alongwith the documents mentioned in the bye-laws 69.2(iii) shall be entertained by the Board only within five years of the date of declaration of the result. No correction whatsoever shall be made on application submitted after the said period of five years. It is the contention of learned Advocate for the Board that since the examination was conducted long back in the year 2018 and the result was published accordingly, but the application for correction was made for the first time on 29.01.2024 and the School has sent the required documents on 27.06.2025 for correction. Thus, in view of the bye-laws 69.3(A)(iv), the application of the petitioner could not be entertained.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that it is not in dispute that the petitioner has



successfully passed All India Secondary School Examination in the year 2018 from Central Board of Secondary Education and the registration certificate issued in favour of the petitioner clearly demonstrate the father's name of the petitioner as Sanjay Prasad Gupta alongwith the date of birth of the petitioner as 29.10.2003. Hence, if any, delay has occurred on account of the petitioner, the petitioner being a *bonafide* student cannot be penalized for his little delay in approaching the authority. All the more, in case the trivial correction is not made, he shall be bound to suffer in his entire career for his no fault. It is admitted position that there was no mistake on the part of the petitioner and registration certificate issued in his favour had correctly mentioned the date of birth and father's name. It is to be noted that the Apex Court in the case of ***Jigya Yadav vs. Central Board of Secondary Education & Ors, (2021) 7 SCC 535*** has categorically observed as follows:-

“193. The first is where the incumbent wants “correction” in the certificate issued by the CBSE to be made consistent with the particulars mentioned in the school records.

193.1. As we have held, there is no reason for the CBSE to turn down such request or attach any precondition except reasonable period of limitation and keeping in mind the period for which the CBSE has to maintain its record under the extant regulations. While doing so, it



can certainly insist for compliance of other conditions by the incumbent, such as, to file sworn affidavit making necessary declaration and to indemnify the CBSE from any claim against it by third party because of such correction. The CBSE would be justified in insisting for surrender/return of the original certificate (or duplicate original certificate, as the case may be) issued by it for replacing it with the fresh certificate to be issued after carrying out necessary corrections with caption/annotation against the changes carried out and the date of such correction. It may retain the original entries as it is except in respect of correction of name effected in exercise of right to be forgotten. The fresh certificate may also contain disclaimer that the CBSE cannot be held responsible for the genuineness of the school records produced by the incumbent in support of the request to record correction in the original CBSE certificate. The CBSE can also insist for reasonable prescribed fees to be paid by the incumbent in lieu of administrative expenses for issuing fresh certificate.”

7. In view of the afore-noted facts and the mandate of the Apex Court, this Court finds substance in the writ petition and thus direct the Central Board of Secondary Education to consider the claim of the petitioner if the record of the petitioner is traceable and not destroyed and make necessary correction which is trivial in nature, based upon the recommendation and the documents furnished by the school, preferably within a



period of eight weeks from the date of receipt/production of a copy of this order.

8. Accordingly the writ petition stands allowed to the extent indicated hereinabove.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.12.2025
Transmission Date	NA

