

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4444 of 2026

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Guriya Kumari D/o Shavind Sharma, R/o Ward No. 15, Jagmal Bigha, P.O.
and P.S.-Katauna, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna
2. The Director, Secondary Education, Govt. of Bihar, Patna
3. The Bihar School Examination Board, Patna through its Chairman
4. The Secretary, Bihar School Examination Board, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Kumar, Advocate
For the Respondent/s	:	Mr. Kumar Alok, Standing Counsel (07)
For the BSEB	:	Mr. P. K. Shahi, Sr. Advocate
		Mr. Kumar Anjaneya Shanu, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

i) To issue a writ/order/direction in the nature of mandamus directing the Respondent Authorities to revise the result sheet as well as admit card of petitioner for Secondary Teacher Eligibility Test, 2025 of the Bihar School Examination Board bearing BSEB Unique ID-5252260021595, Application No. BS25485599, Roll No.-2511021088 issued to her by mentioning the petitioner's correct date of birth as 15.03.1993



in place of her date of birth wrongly mentioned as 05.03.1993.

ii) To grant any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that appropriate representation with regard to correction of date of birth, which has inadvertently been mentioned as 05.03.1993 in place of 15.03.1993, may be directed to be decided by the authorities of Bihar School Examination Board by referring to the official records, which was uploaded by this petitioner while filling up the application form.

4. It has next been submitted, by referring to Annexure-P/9, that the case of the petitioner is also similar to a case which has already been adjudicated by a Co-ordinate Bench of this Court in the case of **Arun Kumar Roy v. The State of Bihar and Others** (C.W.J.C. No.13232 of 2025) and the relevant portion of the said order is extracted hereunder :-

*9. In the aforementioned premise, it would be pertinent to take note of the decision rendered in the case of **Vashist Narayan Kumar (supra)**. The Hon'ble Supreme Court, while considering a case where a student has mistakenly given an incorrect date of birth and was thereby resultantly ousted from the zone of consideration, the Court held that*



*it is a trivial error in an application which plays no part in the selection process and taking into account the facts and circumstances of the case, allowed the appeal. It would be apt and proper to encapsulate paragraph no. 19 of the decision of the **Vashist Narayan Kumar (supra)** which reads as follows:-*

"19. In this case, the appellant has participated in the selection process and cleared all the stages successfully. The error in the application is trivial which did not play any part in the selection process. The State was justified in making a mountain out of this molehill. Perhaps the rarefied atmosphere of the cybercafe, got the better of the appellant. He omitted to notice the error and even failed to avail the corrective mechanism offered. In the instant case, we cannot turn a Nelson's eye to the ground realities that existed. In the order dated 22-11-2021 in Prince Jaibir Singh v. Union of India [Prince Jaibir Singh v. Union of India, (2024) 11 SCC 793], this Court rightly observed that though technology is a great enabler, there is at the same time, a digital divide."

10. Undisputedly, there was an inadvertent mistake at the time of filing of the online application and the gender of the petitioner has been mistakenly mentioned as female instead of male and for rectification of which the petitioner has filed several representation and approached



before all the authorities concerned, but the same could not be done because of the stipulations made in the advertisement, however this fact cannot be ignored, the petitioner has been allowed to appear in the examination and he successfully passed; had the candidature of the petitioner not been valid, he should not have been allowed to appear in the examination. Once the petitioner was allowed to appear in the examination where he successfully passed and secured much above the cut-off marks under the Male-EBC category and consequent whereupon the appointment letter as well as joining letter has also been issued, the joining of the petitioner cannot be denied on account of such trivial mistake as occurred at the time of submission of the application form.

5. On the other hand, learned counsel for the Bihar School Examination Board, submits that since the representation has already been filed before the Secretary, Bihar School Examination Board, which is appended with the writ petition as Annexure-P/3 and as such, necessary decision shall be taken for which this Court may appropriately direct.

6. Considering the submission of the parties, this Court finds it appropriate to direct the Secretary, Bihar School Examination Board, to adjudicate the issues raised by this petitioner, within a period of two weeks from today by making necessary corrections in reference to the official records and in



case, the petitioner’s assistance is required then through appropriate communication, the same shall be achieved and all necessary exercise in light of the judgment of Hon’ble Apex Court, be completed within the time so allowed and after making necessary corrections, the same shall be communicated to the petitioner for exploring his future avenues.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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