

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.287 of 2026

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Lakhendra Gosai Son of Kailash Gosai, Resident of Village-Sarmaspur, Post
Office-Kalwari, Police Station-Kanti, District-Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board through its Chairman, Patna.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The Deputy Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 31-01-2026

Heard learned Advocate for the respective parties.

2. The petitioner has approached this Court seeking quashing of the order, as contained in Memo No. DP-789 dated 16.03.2024, issued under the signature of Deputy Secretary, Bihar School Examination Board (in short 'Board') whereby the application of the petitioner dated 06.05.2023 for correction of his date of birth in matriculation certificate as 20.01.1963, in place of 20.01.1968, has been rejected.

3. Learned Advocate for the petitioner submitted that the petitioner's actual date of birth is 20.01.1968 and at the time of admission of the petitioner in the High School, Shrisiya,



Kanti, Muzaffarpur, his parents had submitted correct date of birth, as afore noted, but mistakenly it has been wrongly entered in the admission register as 20.01.1963 and due to the wrong entry made by the school, the same mistake has been occurred in Matriculation certificate duly issued by the Board in the year 1986. The petitioner has approached time and again before the Board, but the correction in the Matriculation certificate could not be done and finally the representation of the petitioner for necessary correction came to be rejected, being barred on account of delay, which is under challenge before this Court.

4. Learned Advocate for the petitioner also placed reliance a decision rendered by the Hon'ble Supreme Court in the case of *Jigya Yadav v. CBSE*, reported in *(2021) 7 SCC 535* and referring thereto it is submitted that necessary correction in the date of birth should not be guided by the policy decision of the Board, rather if there are certain public documents to support the necessary correction, in such circumstances, the Board should take lenient view and make the necessary correction in the matriculation certificate, but the same has not been done.

5. Learned Advocate for the Board, Mr. Nadim Seraj, submitted that admittedly the petitioner passed his



Matriculation examination in the year 1982 and the Matriculation certificate was duly issued in favour of the petitioner long back in the year 1986 and for the first time he approached before the Secretary of the Board in the year 2023 by filing application for necessary correction after a delay of 37 years. It is submitted that the policy decision of the Board is very clear on the point that correction in the date of birth shall not be allowed beyond the period of ten years, hence the application of the petitioner has rightly been rejected by treating it as time barred. It is further contended that identical matter has come up for consideration before a coordinate Bench of this Court in C.W.J.C. No.9889 of 2022 wherein the Court has dismissed the writ petition considering the fact that the candidate has approached this Court after 27 years of passing of the matriculation examination.

6. This Court has considered the submissions of the learned Advocate for the respective parties and also took note of the materials available on record. Admittedly, the petitioner had passed the matriculation examination in the year 1982 and certificate was also issued by the Board in the year 1986 itself. Now the petitioner has approached this Court after 39 years. The policy decision of the Board is very much clear that the



correction in the date of birth shall not be allowed beyond the period of ten years. Moreover, in identical matter, the coordinate Bench of this Court referred hereinabove has not interfered taking note of the delay in approaching this Court for making correction in the matriculation certificate, after such belated stage.

7. So far the reliance of the petitioner over the decision rendered by the Hon’ble Supreme Court in the case of *Jigyaa Yadav* (supra) is concerned, the same does not cover the case of the petitioner, rather the Court emphasized that there is no reason for the CBSE to turn down such request or attach any pre-condition, except reasonable period of limitation and keeping in mind the period for which the CBSE has to maintain its record under the extent regulation.

8. This Court finds the writ petition is devoid of any merit. Accordingly, the same stands rejected.

(Harish Kumar, J)

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CAV DATE	NA
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