
(2020) 07 RAJ CK 0034
In the Rajasthan High Court
Case No : Civil Writ Petition No. 8939 Of 2017

Pranay Khandelwal

APPELLANT

Vs

Central Board Of Secondary Education, Head Office And Ors

RESPONDENT

Date of Decision : 29-07-2020

Acts Referred:

Citation : (2020) 07 RAJ CK 0034

Hon'ble Judges : Sanjeev Prakash Sharma, J

Bench : Single Bench

Advocate : Mahaveer Kalwa, M S Raghav

Final Decision : Disposed Of

Judgement

The petitioner by way of this writ petition has filed a representation prayed for getting his date of birth corrected in the Secondary School Certificate

issued by the Central Board of Secondary Education for class 10th on 20.05.2014 wherein the date of birth of the petitioner has been shown as

07.08.1998"" while the petitioner claims that his actual date of birth is ""07.8.1997"" (7th August Nineteen Ninety Seven).

Learned counsel has taken this Court to the date of birth certificate dated 30.12.2013 to show that the date of birth is ""07.8.1997"" he has also relied on

other documents and has also placed the discharge ticket of his mother, at that time of his birth , which mentions date of birth as ""07.08.1997"". He has

also placed on record certain progress reports to submit that there was a typographical error and actual date of birth is ""07.08.1997"" and not

07.08.1998.

This court has observed in SBCWP No. 23900/2018 Devik Pareek V/s Central Board of Secondary Education dated 30.5.2019, that the correction in

date of birth is a disputed question of facts and the writ proceedings would not be the forum for correction of date of birth. However, this court in the present case finds that the date of birth correction is only of the year i.e 1998 instead of ""1997"", and the documents also show that the petitioner was born on 07.08.1997. Learned counsel appearing for the Central Board, however, submits that documents of the relevant school are also necessary for taking into consideration the correct date of birth.

This court agrees that the decision in this regard ought to be taken at the level of the Central Board of Secondary Education itself and for the said purpose, the petitioner is directed to appear before the Regional Director, Central Board of Secondary Education, Ajmer, who shall examine the matter at his own level independently of any observations made by this court or earlier decision. After looking into all the documents, if he satisfied that there is typographical error, which has crept in the examination form, he may properly correct the same. If he takes a decision otherwise, he would pass a speaking order, which can be challenged by the petitioner in appropriate proceedings before appropriate forum. The decision in this regard may be taken within a period of one month from the date of submission by the petitioner of all the documents alongwith his representation. If required, the Board shall also be free to call for the original documents from the concerned school.

The writ petition stands disposed of.

All the pending applications also stand disposed of.