

Court No. - 7

Case :- WRIT - C No. - 11255 of 2023

Petitioner :- Hari Gopal Gupta

Respondent :- State Of U.P. Thru. Secy., Secondary Education, Lucknow And Others

Counsel for Petitioner :- Sunil Kumar Singh, Arun Srivastava, Manish Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner and learned Standing counsel appearing on behalf of the State-respondents.

Under challenge is the order dated 04.09.2023, a copy of which is annexure 1 to the writ petition whereby the application of petitioner for seeking correction in the date of birth in the high school certificate has been rejected.

The contention of learned counsel for the petitioner is that the petitioner had appeared in the High School examination in the year 2015. He preferred an application seeking correction in the date of birth in the year 2020. However, the respondents vide order impugned dated 04.09.2023 have rejected the said application on the ground that the said application has been filed beyond a period of three years as stipulated in Chapter III Regulation 7 of the Uttar Pradesh Intermediate Education Act, 1921.

The contention of learned counsel for the petitioner is that the application of the petitioner could not have been rejected by the respondents and they are duty bound to entertain the application as and when the petitioner wants to seek a correction in the date of birth.

The aforesaid argument of the learned counsel for the petitioner is patently misconceived inasmuch as once a limitation period has been provided in the statute for the purpose of seeking correction in the high school and intermediate certificate the same has to be scrupulously adhered to. This aspect of the matter has been considered by the Apex Court in the case of **Jigya Yadav Vs. Central Board of Secondary Education and Ors** passed in **Civil Appeal No. 3905 of 2011 decided on 03.06.2021**.

Considering the aforesaid discussion, the writ petition is dismissed.

Order Date :- 21.12.2023

Pachhere/-