

S.No. 30

Regular List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 1009/2025 CM(2650/2025)

NOUREEN ALI
D/O SHOWKAT ALI MIR
R/O LAL NAGAR CHANAPORA, SRINAGAR

...Petitioner(s)/Appellant(s)

Through: Mr. Zahid Khan, Advocate with
Ms. Zehra, Advocate

Vs.

1. UNION OF INDIA THROUGH ITS
SECEETTARY, MINISRY OF EXETRNL
AFFAIRS, GOVERNMETN OF INDIA, NEW
DELHI ...Respondent(s)
2. REGIONAL PASSPORT OFFICER,
SRIANGAR.

Through: Mr. T.M. Shamsi, DSGI with
Ms. Yasmeen Jan, Advocate

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

05-05-2025

1. Through the medium of the instant petition filed under Article 226 of the Constitution of India, the petitioner has sought the following relief(s):

- a) Writ of Mandamus commanding the respondents to record the correct date of birth as 17/10/1994 in the fresh passport of the petitioner in accordance to the date of birth mentioned on the Date of birth certificate issued by the Registrar Of births and deaths as well as the date of birth certificate issued by School Education Department.
- b) Any other Writ, order or direction which this Hon'ble court may deem fit and proper may also be issued in favour of the Petitioners and against the Respondents.

2. The facts leading to filing of the present writ petition are that the petitioner in the year 2005 was issued a passport bearing No. F2809305 wherein, her date of birth was recorded as 17.11.1994 and, after the expiry of the said passport, she was issued another passport on 12.08.2011 bearing No. J7220154 wherein her date of birth was also recorded as 17.11.1994.

3. It is stated that the actual date of birth of the petitioner is 17.10.1994 instead of 17.11.1994, for which, the petitioner had applied before the competent authorities for correcting the same and accordingly, the Srinagar Municipal Corporation (SMC) issued the Date of Birth Certificate in favour of the petitioner on 16.07.2024 under section 12/17 of the Registration of Births and Deaths Act, 1969 and Rules 8/13 of Jammu & Kashmir Registration of Births and Deaths Rules, 2022, wherein the date of birth of the petitioner is recorded as 17.10.1994.

4. It is further stated that the petitioner applied before the respondents for the issuance of passport on the basis of date of birth certificate issued by the SMC and the Board of School Education and other related documents, however, the petitioner was conveyed to get the order from the Court for getting correct date of birth recorded in the passport.

5. Mr. Zahid Khan, learned counsel for the petitioner argues that the petitioner was a minor at the time of the issuance of the passport and the date of birth of the petitioner has been reflected and entered in the passport as 17.11.1994 instead of 17.10.1994, which is the actual date of birth of the petitioner. He further argues that at the time of

issuance of the passport, the petitioner was not holding the matriculation date of birth certificate, as such, incorrect date of birth of the petitioner did not come to the knowledge of the respondents.

6. Learned counsel for the petitioner has placed reliance upon an order passed by a Coordinate Bench of this Court in an identical writ petition bearing WP(C) No.101/2025 titled “**Aisha Mahmood vs. Union of India**” decided on 11.02.2025 and submits that the same order be passed in the instant petition as well, as the facts and law pleaded in the present petition are similar to the petition of Aisha Mahood (*supra*).

7. Heard Mr. Zahid Khan, learned Advocate with Ms. Zehra, learned Advocate for the petitioner and also Mr. T.M. Shamsi, learned DSGI assisted by Ms. Yasmeen Jan, learned Advocate for the respondents and perused the material on record.

8. With a view to maintain parity, this Court deems it proper to pass the same order in the present petition as has been passed by the Coordinate Bench of this Court in WP(C) No. 101/2025.

9. Accordingly, the instant petition is disposed of at its very inception stage with a direction to the respondents to consider the issuance of the passport in favour of the petitioner showing her date of birth as 17.10.1994 instead of 17.11.1994 in accordance with law within a period of two weeks.

10. Disposed of.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
05-05-2025
Mubashir