

IN THE HIGH COURT OF MANIPUR

AT IMPHAL

WP (C) No. 33 of 2018

Maibam Inaocha Singh aged about 58 year old S/o M. Ibobi Singh a resident of Kongba Kshetri Leikai P.O. Kongba & P.S. Porompat, Imphal East District, Manipur at present serving as Driver, Medical Department, Manipur, Imphal.

... Petitioner.

-Versus -

1. That State of Manipur represented by the Secretary/ Commissioner/ Principal Secretary, Health and Family Welfare, Government of Manipur, Imphal.
2. The Director, Medical & Health Services, Government of Manipur, Lamphelpat Imphal.
3. Mr. P. Premjit Singh, the then Headmaster of Meitei Mayek High School, Wangkhei Kongba, I/E, Manipur impleaded as R-4 vide the Hon'ble Court's order dated 23.01.2025 passed in this writ petition.
4. Head Mistress (RK Tamphasana Devi), Meitei Mayek High School, Wangkhei Kongba, Imphal East impleaded as part R-3 vide order dt. 19.07.2019 passed in MC (WP (C)) No. 189 of 2018.

.....Respondents.

B E F O R E

HON'BLE MR. JUSTICE AHANTHEMBIMOL SINGH

For the petitioner	:	Mr. S. Lokhendro, Advocate
For the respondents	:	S. Nepolean, Sr. Advocate RK Emily, Deputy GA Ms. Maria, Advocate & Mr. Prasanta, Advocate
Date of Hearing	:	26.05.2026
Date of Judgment	:	26.05.2026

JUDGMENT
(ORAL)

[1] Heard Mr. S. Lokhendro, learned counsel appearing for the petitioner, Mr. S. Nepolean, learned senior counsel assisted by Mr. RK Emily, learned Deputy GA appearing for respondents No. 1 & 2, Ms. Maria, learned counsel appearing for respondent No. 3 and Mr. Prasanta, learned counsel appearing for respondent No. 4.

[2] The present writ petition has been filed assailing the order dated 17.11.2017 issued by the Director of Health Services, Manipur, allowing the petitioner to retire from service w.e.f. 31.03.2017 on attaining the age of superannuation.

[3] The facts of the present case in a nutshell are that on the recommendation of a DPC held on 25.11.1977, the petitioner was appointed temporarily as a Driver in the Medical Department Manipur. According to the petitioner, his correct date of birth is 01.03.1960, however, when the petitioner came to know that his date of birth has been wrongly recorded in his service book and in the Manipur Government Employees List (MGEL) as 04.03.1957, he approached the Administrative Officer, Directorate of Health Services, Manipur for correction of his date of birth in the service book as well as in the MGEL as 01.03.1960. On receiving such an application, the Administrative Officer, Directorate of Health Services issued an order dated 05.09.2015 allowing the correction of the date of birth of the petitioner as 01.03.1960 in his service book and

for necessary correction in the official document like MGEL. A scanned copy of the said order dated 05.09.2015 issued by the Administrative Officer, Directorate of Health Services, Manipur are reproduced here under for ready reference:-

- 15 - ANNEXURE - A/4⁽¹¹⁾

GOVERNMENT OF MANIPUR
DIRECTORATE OF HEALTH SERVICES
Lamphei, Imphal
O R D E R S
Imphal, the 5th September, 2015

NO.1/AO/DDO/DHS/2015: Whereas Shri Wialbam Inaocha Singh, Driver (EIN No.032944) working in the Directorate of Health Services, Manipur located at Lamphei, Imphal has applied for correction of his date of Birth in service Book and MGEL as 01/03/1960 (1st March Nineteensixty), and stated that his date of birth was wrongly recorded in the service Book and MGEL.,

Whereas during the examination of his service book, it was revealed that the entry relating to Sl.No 3 was found smudged and illegible, prompting for re-writing distinctly. However, though the service Book is maintained by the office, the Certificate of passing Class-IX attached herewith is found untraceable.

Whereas, the incumbent has produced one Bonafide Certificate issued by the Head Master of the Meitei Mayek High School, Wangkhei Kongba, Imphal East in place of printed certificate Form which was not available at that time.

Hence, the date of birth was copied from the Bonafide Certificate issued by the Head Master and recorded in the service Book against the column of Sl.No 3 as 01/03/1960 (1st March Nineteensixty). The certificate issued by the Head Master is reckoned with for corroboration of age/Date of Birth as the Head Master is competent to issue such certificate.

Necessary correction in the official documents like MGEL shall be done accordingly.

Date: 5th September, 2015
Place: Imphal

Signature: (T.MANJHAR SINGH)
Designation: Administrative Officer
Directorate of Health Services
Manipur, Imphal

Copy to :-

1. The Directorate (Health & Services), Manipur
2. The H/C (General) - for necessary action.

True Copy
Advocate

16 -

Smt. M. Baby Devi
Oath Commissioner (Judicial)
Imphal West District & High Court
Regd. No. 318/2016

[4] Pursuant to the said order dated 05.09.2025 issued by the Administrative Officer, Directorate of Health Services, Manipur, the entry of the date of birth of the petitioner at column No. 3 was recorded by the said Administrative Officer as 01.03.1960.

[5] Subsequently, the Director of Health Services, Manipur issued the impugned order dated 17.11.2017 allowing the petitioner to retire from service w.e.f. 31.03.2017 on attaining the age of superannuation. The petitioner's grievance is that as his date of birth has been recorded in his service book as 01.03.1960, he is to retire from service only on 28.02.2022 and not w.e.f. 31.03.2017. Hence, the present writ petition.

[6] The learned counsel appearing for the petitioner submitted that in the educational certificate issued by the Head Master, Meitei Mayek High School on 04.10.2016 in favour of the petitioner for having passed class-IX, his date of birth is recorded as 01.03.1960. The learned counsel also submitted that when the petitioner came to know that his date of birth has been wrongly recorded in his service book as well as in the Manipur Government Employees List (MGEL) as 04.03.1957, he approached the Administrative Officer, Directorate of Health Services for correction of his date of birth. The said Administrative Officer allowed the correction of the petitioner's date of birth in his service book by issuing an order dated 05.09.2015, which has been reproduced herein-above.

[7] The learned counsel further submitted that the said Administrative Officer corrected the petitioner's date of birth in his service book as 01.03.1960 on the basis of the educational certificate produced by him and as such, the petitioner was to retire from service only w.e.f. 28.02.2020 on attaining the age of superannuation and not w.e.f. 31.03.2017. The learned counsel further submitted that the impugned order dated 17.11.2017 had been issued by the Director of Health Services, Manipur by overlooking the petitioner's date of birth recorded in his service book. According to the petitioner the impugned order dated 17.11.2017 is contrary to the petitioner's date of birth recorded in his service book and as such, the same is liable to be quash and set aside.

[8] Mr. S. Nepolean, learned senior counsel appeared for the respondent No. 1 & 2 and submitted that if the date of birth as claimed by the petitioner, i.e., 01.03.1960 is taken to be true, the petitioner was less than 18 years on the date when the meeting of the DPC for his recruitment as Driver, which was held on 25.11.1977. As such, the petitioner could not have obtained a driving license as he was less than 18 years in view of the provision under section 4 of the Motor Vehicles Act, 1988. The learned GA further elaborated that if the petitioner cannot obtain a driving license as he has not attained age of 18 years, he cannot be considered as an eligible candidate and there is no question of allowing the petitioner to join the selection process. The learned GA submitted that

in view of the above, the claim made by the petitioner that his date of birth is 01.03.1960 is not acceptable.

[9] The learned GA also submitted that the respondent No. 4, the then Head Master of the Meitei Mayek High School and who issued the educational certificate to the petitioner, made a categorical statement at paragraph 5 of his affidavit-in-opposition that the duplicate certificate issued in favour of the petitioner for having passed class-IX from Meitei Mayek High School have been issued by him on the strength of a Xerox copy for Class-IX passed certificate produced by the petitioner in good faith. The learned GA also submitted that in the affidavit-in-opposition filed on behalf of the respondent No. 3, it has also been clearly stated at paragraph 5 that there is no record in the Meitei Mayek High School to show that the writ petitioner passed class-IX examination in the year 1974 and no record to support the certificate issued in favour of the petitioner. The learned GA accordingly submitted that taking into consideration the categorical statement made by the respondents No. 3 & 4 of the said Meitei Mayek High School, the certificate produced by the petitioner is not a valid certificate and the same has been issued without any supporting records.

[10] The learned GA further submitted that the Administrative Officer issued the order allowing correction of the date of birth of the petitioner on 05.09.2015 by stating that in the educational certificate of the

petitioner his date of birth was recorded as 01.03.1960. However, the said the educational certificate produced by the petitioner for having passed Class-IX from the Meitei Mayek High School was issued only on 04.10.2016, one year after the said order had been issued by the Administrative Officer.

In view of the above, the learned GA submitted that the order allowing correction of the date of birth of the petitioner was issued without any valid document and the same is unsustainable. The learned GA accordingly submitted that there is no merit in the writ petition and the present writ petition deserves to be dismissed.

[11] I have heard the rival submission advanced by the learned counsel appearing for the parties at length and I have also considered carefully all the materials available on record.

The case of the petitioner is that his date of birth is 01.03.1960 and such claim is based solely on the educational certificate issued by the Head Master of the Meitei Mayek High School on 04.10.2016.

[12] As narrated herein-above, the respondents No. 3 & 4, who were the Head Mistress and the Head Master of the said Meitei Mayek High School, categorically stated in their affidavit-in-opposition that the said educational certificate of the petitioner was issued on the strength of a Xerox copy of a certificate produced by the petitioner for having passed Class-IX and that there is no record to show that the petitioner passed

Class-IX from said school in 1974. It has also been categorically stated by the respondents No. 3 & 4 in their affidavits that there is no record to show that the said educational certificate produced by the petitioner was issued on the basis of a valid record.

[13] It is also an undeniable fact on record that the correction of the date of birth of the petitioner was allowed by the Administrative Officer of the Directorate of Health Services solely on the basis of the educational certificate issued by the Head Master of the Meitei Mayek High School, vide order dated 05.09.2015. However, quite surprisingly, when the said order was issued on 05.09.2015, the duplicate educational certificate of the petitioner was yet to be issued and it was issued only after one year. Therefore, this Court is of the view that there is force and merit in the submission made by the learned Government Advocate that the order issued by the Administrative Officer is not acceptable.

[14] On examination of the original service book of the petitioner, it is ascertained that the petitioner appended his signature in his service book every year from the date of his appointment till the date of his retirement and as such, the petitioner cannot claim that he has no acknowledge about the entry of his date of birth in his service book. In the present case the petitioner claim for correction of his date of birth only at the fag end of his service career. In my considered view, such correction is not permissible in law.

[15] With regard to the contention made by the leaned counsel appearing for the petitioner that the date of birth of the petitioner is recorded in his service book as 01.03.1960 till today, it is to be pointed out that such entry of his date of birth in the service book was carried out only after 2015 by the Administrative Officer without any valid document and as such, the petitioner cannot claim that his correct date of birth should be 01.03.1960.

[16] Taking into consideration all the above stated facts, this Court do not find any merit in the writ petition, accordingly, the present writ petition is hereby dismissed, however, without any order as to cost.

JUDGE

FR/NRF

Sapana