



CGHC010349172026
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2026:CGHC:42964-

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 932 of 2026

- Smt. Asha Acharya W/o Shri Vinod Acharya Aged About 66 Years
Occupation Assistant Grade Iii Social Forestry Forest Division Jagdalpur
R/o Motilal Nehru Ward Nayapara P S City Kotwali Post And Tahsil
Jagdalpur District Bastar C.G.

... Appellant

versus

1. State Of Chhattisgarh Through Its Secretary Forest Department,
Mantralaya Mahanadi Bhawan, New Raipur District Raipur C.G.
2. The Deputy Secretary Forest Department Secretariat Mahanadi Bhawan
New Raipur, District Raipur C.G.
3. Principal Chief Conservator Of Forest Chhattisgarh Aranya Bhawan
Medical College Road Raipur C.G.
4. Conservator Of Forest Jagdalpur Circle, Jagdalpur, District Bastar C.G.
5. Divisional Forest Officer Office Of The Divisional Forest Office,
Research And Expansion Centre, Social Forestry Division, Jagdalpur
District Bastar C.G.
6. District Education Officer Bilaspur District Bilaspur C.G.

... Respondents

For Appellant	: Mr. Ashok Kumar Shukla, learned Advocate.
For State/Respondents	: Ms. Anuja Sharma, learned Deputy G.A.

Hon'ble Shri Krushna Ram Mohapatra Chief Justice &

Hon'ble Shri Justice Santosh Sharma

Judgment on Board

Per Krushna Ram Mohapatra, Chief Justice

05/10/2026

1. Heard.
2. The appellant in this writ appeal seeks to assail the order dated 22.07.2026 in WP(S) No.3059/2019 (under Annexure-A/1).
3. Learned counsel for the appellant submits that the appellant assailed the order dated 19.11.2018 by which the competent authority rejected her application holding her date of birth to be 07.05.1957 in place 07.05.1959. It is submitted that the appellant at the time of her entry into service produced the certificate in support of her educational qualification. Along with the certificates, she also produced her Higher Secondary School Certificate (Annexure-P/5) and marksheet, in which, her date of birth was shown to be 07.05.1957. But in her school certificates and marksheets right from Class 5th onwards, her date of birth was shown 07.05.1959. In the Transfer Certificate issued by the Head Master / Principal of the school her date of birth was shown to be 07.05.1959. All these documents were produced before the appointing authority at the time of appointment of the appellant. But without considering the same, the authority entered the date of birth to be 07.05.1957 in her service book. When the appellant came to know about the same, she immediately made an application for change of her date of birth from 07.05.1957 to 07.05.1959. The same was not paid any heed. Lastly, the petitioner submitted an application for change of her date of birth, which was rejected vide order dated 19.11.2018 and the same was under challenge in the writ petition. Learned Single Judge only relying upon the Higher Secondary School Examination Certificate, held that the entry of date of birth as 07.05.1957 in the service book of the appellant as correct. As such the writ petition was dismissed.

4. Learned counsel for the appellant further submits that although the appellant had submitted documents showing her date of birth to be 07.05.1959 before learned Single Bench, those were not taken into consideration and the impugned order was passed. As such the impugned order suffers from non-consideration of materials on record and is liable to be set aside.
5. Ms. Anuja Sharma, learned Deputy Government Advocate, on the other hand submits that the appellant was appointed on the basis of her Higher Secondary School Examination Certificate, in which, her date of birth was shown as 07.05.1957. Accordingly, entry of date of birth was made in her service book. The appellant also signed the first page of the service book, acknowledging her date of birth to be 07.05.1957. Of course, the appellant had submitted an application on 18.07.2011 for correction of her date of birth, but the same was rejected on 20.10.2011, accepting the date of birth of the appellant to be 07.05.1957. The said order of rejection was never challenged by the appellant at any stage. At the *fatag end* of her career, she again submitted an application for change of her date of birth, which was rightly rejected. Assailing the same, WP(S) was filed. Learned Single Judge taken into consideration the detailed reply filed by the State, and giving due weightage to the materials on record and submission of learned counsel for the parties, passed the impugned order, which does not warrant interference.
6. Heard learned counsel for the parties. Perused the materials on record including the case record of WP(S).
7. On perusal of the record, it appears that the entry of date of birth of the appellant was 07.05.1957 in the first page of her service book, which was signed by the appellant acknowledging her date of birth to be

07.05.1957. Of course, she raised an objection by filing an application for correction of her date of birth on 18.07.2011, enclosing the certificates and marksheets from Class 5th onwards. The same was taken into consideration by the authority and was rejected vide letter dated 20.10.2011, accepting the date of birth to be 07.05.1957. The appellant for the reasons best known, did not challenge the same. She further filed another application at the *fag end* of her service career, which was rejected vide order dated 19.11.2018 and accordingly the appellant superannuated from service on 16.04.2019.

8. Law is well settled that correction of date of birth in the service book should be done at the earliest. In the instant case, the appellant had in fact submitted an application with certain documents, which was rejected and remained unchallenged. Further, the appellant had never applied for correction of her date of birth in the Higher Secondary School Examination Certificate. Thus, her date of birth was accepted to be 07.05.1957 by the authority on the basis of which, she was given appointment.
9. Learned Single Judge discussing the aforesaid materials arrived at the impugned conclusion. Thus, we find no infirmity in the impugned order. Accordingly, the writ appeal being devoid of any merits stands **dismissed**.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice