

IN THE HON'BLE HIGH COURT OF CHHATTISGARH

AT BILASPUR (C.G.)

Writ Petition (C) No. 362 of 2015

PETITIONER

: Shashi Kumar Kushwaha son
of late Shri Nankuram
Kushwaha, aged about 21
years, resident of Village-Sirsi,
Tahsil and Police Station-
Surajpur, District-Surajpur
(C.G.)

WPC- 362/15
Taken 32.5.15
Presented by SA Anand
13/2/15

VERSUS

RESPONDENT

: Chhattisgarh Madhyamik
Shiksha Mandal, Raipur
through the Secretary,
Madhyamik Shiksha Mandal,
Raipur, Tahsil and District-
Raipur (C.G.)



WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

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3/3/15

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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 362 of 2015

PETITIONER

Shashi Kumar Kushwaha

Versus

RESPONDENT

Chhattisgarh Madhyamik Shiksha
Mandal, Raipur

Shri Shahid Ahmed Ansari, counsel for the petitioner.
Shri Alok Bakshi, counsel for the respondent.

SINGLE BENCH : HON'BLE SHRI PRASHANT KUMAR MISHRA, J.

**ORAL ORDER
(02/03/2015)**

Petitioner has preferred this writ petition seeking direction to the respondent to correct/rectify the entry concerning petitioner's date of birth in his Class-10th mark-sheet which is wrongly recorded as 01/08/1993, whereas in fact his correct date of birth is 10/08/1993.

2. Shri Bakshi, learned counsel appearing for respondent C.G. Madhyamik Shiksha Mandal, on advance notice, would submit that a reading of the writ petition would suggest that the respondent has not issued any communication to the petitioner as to the decision taken by it on petitioner's application, therefore, the petition appears to be pre-mature.

3. On the other-hand, learned counsel for the petitioner would submit that petitioner's application for correction of date of birth is pending since November 2014 and he has not received any communication as to the fate of application.

4. Considering the entire fact situation of the case, the writ petition is disposed of with a direction to the respondent that in the event a decision has already been taken on petitioner's application for correction of date of birth, the same shall be informed to the petitioner, however, if such decision has not been taken, the respondent shall decide the application in accordance with law, as early as possible, and preferably within a period of six weeks from the date of receipt of certified copy of this order.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent-authority shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

**Sd/-
Prashant Kumar Mishra
Judge**

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