

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8813 OF 2014

Bhagwan Arjun Darade	...	Petitioner
vs.		
The State of Maharashtra	...	Respondents

Mr. B.A.Adgaonkar i/b. Mr. Sandeep Dere, Advocate for the Petitioner
Ms. Aparna Vhatkar, AGP, for the respondent

CORAM: B.R.GAVAI & A.S.GADKARI, JJ.
DATE : 20th March, 2015.

P.C.

The petitioner has approached this Court being aggrieved by the judgment and order passed by the learned Maharashtra Administrative Tribunal dated 12.6.2014 whereby dismissing the Original Application filed by the present petitioner.

2. The petitioner had approached the learned Maharashtra Administrative Tribunal, being aggrieved by the refusal on the part of the Respondent-Authorities to correct the date of birth from 1.6.1956 to 8.10.1958. The said order was passed by the learned Maharashtra Administrative Tribunal in the second round of litigation. In the first order, the learned Maharashtra Administrative Tribunal had remanded the matter.

Even after remand, the Authorities refused to change the date of birth inasmuch as the application for changing the entry with regard to the date of birth was made after a period of five years.

3. Undisputedly, though the petitioner entered into service on 1.5.1979, the first application for changing the entry with regard to the date of birth was made on 16.4.1986 i.e. almost after a period of seven years.

4. The Rules governing the service conditions of the petitioner require that an application be made within a period of five years. No error is found in the order of the learned Maharashtra Administrative Tribunal. No interference is called for. Hence, the Petition is rejected.

(A.S.GADKARI, J.)

(B.R.GAVAI, J.)