

127.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Regular Second Appeal No.2834 of 2015 (O&M)

Date of decision:18.12.2015

Shashi Bala

... Appellant

versus

Board of School Education Haryana, Bhiwani through its Secretary.
.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.Arvind Bansal, Advocate,
for the appellant.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The plaintiff sought for change of date of birth in the matriculation records on the basis of an alleged birth certificate showing his date of birth as 25.09.1963 against an entry which was recorded as 25.12.1958. The suit was dismissed, the appeal confirmed the decision.

2. There is simply no scope for intervention, for, it has been authoritatively laid down by the Division Bench of this Court in **Ambika Kaul Versus Central Board of Secondary Education and others in LPA No.1613 of 2014, dated 21.05.2015 and another connected case** that such a suit will have to be considered from the

point of view of whether the claim is barred by limitation and whether there is an estoppel operating against the plaintiff. In this case, both will operate. A person, who had become major even in the year 1991, cannot be a suit filed more than 3 years beyond that period in the year 2013. Even that apart an entry in the matriculation records cannot be corrected for any reason other than the correction that is admissible under the relevant rules providing for correction. The plaintiff will be estopped from raising an issue of age after it was entered in the records as per the information furnished to the school authorities. The second appeal is without merit and it is dismissed.

(K.KANNAN)
JUDGE

18.12.2015
sanjeev