

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.1256 OF 2016**

Ruksana Zulfikar Shaikh

.... Petitioner

V/s.

Anjuman-I-Islam Trust, Mumbai & Ors.

.... Respondents

Mr. M.M. Kale for the Petitioner.

Mrs. M.P. Thakur, A.G.P., for the Respondent-State.

**CORAM : RANJIT MORE &**  
**DR. SHALINI PHANSALKAR-JOSHI, J.J.**

**DATE : 13<sup>TH</sup> APRIL 2016.**

**P.C. :**

1. Heard learned counsel for the Petitioner and learned A.G.P.
2. By this Petition, the Petitioner is challenging the order dated 28<sup>th</sup> July 2015 passed by Respondent No.4-Deputy Education Officer (Primary). By the said order, Petitioner's application to correct his 'Date of Birth' is rejected.
3. In the service record of the Petitioner, his 'Date of Birth' is shown as 23<sup>rd</sup> November 1953, whereas, according to the Petitioner, his actual 'Date of Birth' is "23<sup>rd</sup> November 1955". The Petitioner, for the first time, has made an application in 2011 for correction of the birth date i.e. just before the due date of retirement. The said application is rejected on the ground that the Petitioner ought to have approached within a period of five

years from the date of joining services. We do not find any error in the impugned order passed by the Deputy Education Officer (Primary).

4. Be that as it may, it is now settled position in law that correction in the 'Date of Birth' cannot be done at the fag end of service tenure. The Petition is devoid of merits and is, accordingly, dismissed.

**[DR. SHALINI PHANSALKAR-JOSHI, J.]**

**[RANJIT MORE, J.]**