

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 9865 OF 2017

Nandkumar Dhanyakumar Randive

.....Petitioner

V/s.

The State of Maharashtra and others

....Respondents

Mr. Samir Kumbhakoni for the Petitioner.

Ms. R. A. Salunkhe AGP for the State.

**CORAM : NARESH H. PATIL &
Z. A. HAQ, JJ.**

DATE : 15th SEPTEMBER 2017.

P.C. (Per: Z. A. Haq, J.)

1 Heard.

The petitioner seeks writ of *mandamus* to the respondents directing them to correct the record relating to his date of birth. The petitioner has also challenged the decision of the respondent/Education Officer by which the request of the petitioner to carry out the modification/correction in the recording relating to his date of birth is rejected.

2 According to the petitioner, his date of birth is recorded as 14/10/1959

ism

which needs to be corrected as 10/02/1962.

3 The petitioner relies on the extract of birth and death register maintained by the village authorities, to contend that the date of birth of the petitioner is 10/02/1962. This document shows that a male child named Bharat son of Dhanyakumar Anantraj Randive was born on 10/02/1962. The petitioner further relies on the Government Gazette dated 07th July to 13th July 2011 to substantiate his contention that his date of birth is 10/02/1962.

4 Admittedly school record reflects the date of birth of the petitioner as 14/10/1959. The petitioner is to retire next month on attaining the age of superannuation, considering his date of birth as 14/10/1959. The petitioner initiated proceedings for correction of his date of birth in the records, in 2011. The petitioner has not been able to show that Bharat Son of Dhanyakumar Anantraj Randive and the petitioner whose name is Nandkumar is the same person.

5 Considering the disputed questions of facts and the latches on the part

ism

of the petitioner in seeking the correction in the records regarding his date of birth, it would not be appropriate for us to examine the contentions/challenges of the petitioner in this writ petition.

6 The writ petition is dismissed. In the circumstances, the parties to bear their own costs.

[Z. A. HAQ, J.]

[NARESH H. PATIL, J.]