

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.

CIVIL APPLICATION NO.11834 OF 2017
IN
WRIT PETITION NO.5845 OF 2008

Pravin Janardhan Yashwante

.. Applicant

Versus

The Maharashtra State Board of Secondary
and Higher Secondary Education, Station
road, Aurangabad

.. Respondent

...

Shri G.M. Jadhav, Advocate for applicant

Miss S.S. Raut, Assistant Government Pleader for
respondent / State

Shri D.P. Palodkar, Advocate for respondent no.2

...

CORAM : SUNIL P. DESHMUKH &
P. R. BORA, JJ.

Date : February 06, 2018

PER COURT :

1. Heard learned Counsel for the applicant.
2. Civil Application has been moved for condonation of delay in filing restoration application for recalling order dated 02.05.2011.
3. After hearing learned Counsel for applicant, it transpires that, originally writ petition had been moved seeking change in the birth date since there is discrepancy in the date of birth as shown in the Secondary School certificate and in the one contained in birth certificate issued by municipal corporation.

4. According to instructions to learned Counsel for applicant, movement for correction of birth date had been made soon after appointment had been made by the employer within the parameter of time under the rules by lodging a writ petition in this court and that, after lodging of the writ petition, a representation had also been moved with employer for correction of birth date and decision on the same is yet awaited.

5. Since it is being stated that representation filed by the applicant is yet not decided, we consider that, it is open for the applicant to prosecute the representation stated to be already filed and pending.

6. In view of aforesaid, it does not appear that, civil application seeking condonation of delay would conductively propagate interest of the petitioner. Civil application, therefore, is disposed of.

[P.R. BORA]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE