

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

CWP-29984 of 2017 (O&M)

Date of Decision: 12.09.2018.

Avtar Singh

... Petitioner

Versus

Union of India and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Vijay Pal, Advocate for
Mr. Piyush Sharma, Advocate,
for the petitioner.

Mr. P.S. Sidhu, Advocate,
for respondent Nos. 1 & 2.

JITENDRA CHAUHAN.J.(ORAL)

By filing this writ petition under Articles 226 and 227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to make correction in date of his birth in the Passport bearing No. H-8888381 issued to the petitioner.

It is contended that parents of the petitioner being illiterate could not give correct date of birth of the petitioner. As per the Birth Certificate (Annexure P-1), date of birth of the petitioner is 08.01.1975. The petitioner, on learning the mistake with regard to the date of birth, approached respondent No.2 for correction thereof, however, it has been denied by respondent No.2.

On the other hand, it is contended that the petitioner had applied for passport in fresh category and in support of his claim

he had submitted Matriculation Certificate issued by Punjab School Education Board, Mohali. In pursuance to the same, passport No. H-8888381 was issued to the petitioner. For correction in date of birth, the petitioner needs to apply in the re-issue category and the same would be considered and decided as per the provisions of the Passport Act, 1967 however, the petitioner has not applied so far.

Heard.

Considering the fact that the petitioner is required to apply afresh in the re-issue category for correction of date of his birth which has not been done so far, the present petition is dismissed. However, in case the petitioner applies in the re-issue category, the same will be considered as per law.

12.09.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No