

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

**RSA No.1700 of 2016 (O&M)
Date of Order: 01.06.2018**

Gurmail Singh

..Appellant

Versus

Board of School Education Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jagjit Gill, Advocate,
for the appellant.

ANIL KSHETARPAL, J (Oral)

Plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below, dismissing the suit filed by the plaintiff for correcting the date of birth from 22.06.1992 to 17.11.1992.

Plaintiff was an accused in a murder case. He filed an application that he was a juvenile on the date of incident. Juvenile Board after examining the evidence available on the file held that the plaintiff was major on the date of incident. The aforesaid finding was challenged before the learned Sessions Judge where it was upheld and ultimately again upheld by this court.

The courts have further noticed that the plaintiff or his parents have been repeatedly giving his date of birth as 22.06.1992 at the time of admission in the school as also while filling up various admission forms.

Plaintiff has relied upon the evidence of Dr. Promila Bansal, PW5 as well as

Ex.PW2/A and Ex.PW2/B.

Both the courts after discussing the evidence available on the file have found that the certificates produced by the plaintiff do not inspire confidence and the statement to Dr. Promila Bansal, PW5 cannot be relied upon as she has conceded that she was not aware of the fact that whether nursing home in which the plaintiff is alleged to have been born was maintaining any record regarding issuance of the birth certificate or not.

Although, learned counsel for the appellant make sincere attempt to persuade this court to take a different view, however, keeping in view that the judgments passed by the courts below are neither shown to be perverse nor result of non-reading of evidence or non consideration of material evidence, this court does not find any good ground to interfere.

The regular second appeal is dismissed.

June, 01, 2018
nt

(ANIL KSHETARPAL)
JUDGE

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