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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11346/2018

YOGESH KANSAL

..... Petitioner

Through: Mr Aman Bhalla and Mr Navneet
Thakran, Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr Vikas Mahjan, CGSC with Mr
Aakash Varma and Mr Deepak
Goyal, Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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22.10.2018

CM No.43977/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 11346/2018

2. Issue notice. The learned counsel appearing for the respondents accepts notice.

3. The petitioner has filed the present petition, *inter alia*, praying that his date of birth as reflected in the passport issued to him be rectified. The petitioner claims that his correct date of birth is 21.10.1967 whereas it has been incorrectly recorded as 20.10.1967.

4. The learned counsel appearing for the petitioner contends that the same is a result of an inadvertent that had crept into the application form filled by the petitioner. He further, states that the proof for date of birth

annexed with the application clearly indicated the petitioner's correct date of birth as 21.10.1967. He has also referred to the certificate issued by the Central board of Secondary Education for the Delhi Secondary School Examination held in March, 1983. The said certificate indicates the petitioner's date of birth as 21.10.1967.

5. Clearly, if the aforesaid statements are correct and the proof of the date of birth as provided by the petitioner along with his application for passport had indicated his date of birth as 21.10.1967; it would be evident to the concerned passport authorities that the application form was erroneous.

6. In this view, the concerned passport authorities are directed to re-examine the petitioner's application and if it is evident that the date of birth referred in the application form is in variance with the proof supplied along with the said application, the concerned passport authorities shall carryout the necessary rectification. It is further, clarified that the petitioner would be liable to pay the penalty and fees as prescribed.

7. The petition is disposed of with the aforesaid directions.

8. Order *dasti*.

VIBHU BAKHRU, J

OCTOBER 22, 2018

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