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

+ W.P.(C) 11669/2018

JATIN SAINI

..... Petitioner

Through: Mr Shekhar Nanavatey and Mr Jitehs
Kumar Singh, Advocates.

versus

THE REGIONAL PASSPORT OFFICER AND
ANR.

..... Respondents

Through: Mr Vikas Mahajan, CGSC with Ms
Yantakshkaa Sharma, Advocate for
UOI/R-1.

Mr Tarveen Singh Nanda, Advocate
for R-2/Delhi Cantonment Board.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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29.10.2018

CM No.45051/2018

1. Allowed, subject to all just exceptions.

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2. Issue notice. Learned counsel for the respondents accepts notice.

3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 to reissue the passport with the requisite corrections.

4. The principal controversy in the present petition relates to the petitioner's date of birth as recorded in the passport issued to the petitioner earlier. The petitioner was issued a passport (passport no.J0927221) at the

time when he was minor. In that passport his date of birth was recorded as 21.12.1995. There was also a typographical error in recording the petitioner's first name: it was recorded as 'Jitin' instead of 'Jatin'. Similarly, there was a minor spelling mistake in the residential address of the petitioner as well.

5. The said passport expired on 05.07.2015 and the petitioner applied for a fresh passport. The petitioner submitted a certificate of birth indicating his date of birth as 21.01.1995. In view of the discrepancy in the date of birth, respondent no.1 has not issued a passport to the petitioner.

6. The petitioner states that there were two entries in the Register of Births and two separate birth certificates that were issued to the petitioner. The first birth certificate recorded the petitioner's date of birth as 21.12.1995. The said certificate was issued on the basis of an entry in the Register of Births, which was made on 31.12.1995 (registration no.2369). The petitioner was also issued another certificate as the Register of Births also contained another entry recording the petitioner's date of birth as 21.01.1995. This entry was made on 06.02.1995 (registration no.DC 5 Feb1995). Thus, there were two entries in the Register of Births recording different dates as the petitioner's date of birth.

7. In view of the above, the petitioner had filed an application and also submitted the requisite documents to the concerned authority on the basis of which the entry recording the petitioner's date of as 21.12.1995 was deleted and the birth certificate issued in respect of the entry on 31.12.1995 was cancelled.

8. It is also relevant to note that the petitioner's date of birth as recorded in his school register is also 21.01.1995. The petitioner has also produced a

certificate of the Secondary School Examination held on 2010, which indicates the said date.

9. In view of the above, this Court finds no impediment for respondent no.1 to correct the petitioner's date of birth. The petitioner shall submit all the relevant records to respondent no.1 regarding the documentation for cancellation of the birth certificate issued earlier, wherein his date of birth is recorded as 21.12.1995. Respondent no.1 is directed to examine the same and accept the petitioner's corrected date of birth. Respondent no.1 shall also carry out the necessary corrections in the spelling of the petitioner's name and his address. And, process his application for a passport.

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

11. Order *dasti*.

VIBHU BAKHRU, J

OCTOBER 29, 2018
MK