

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 939 of 2019**

Aditya Sant S/o Sanjay Sant Aged About 24 Years R/o Plot 35, Shivaji Nagar, Supela, Bhilai, District- Durg, Chhattisgarh. **---- Petitioner**

Versus

1. Central Board Of Secondary Education Represented By The Assistant Secretary M And M, Regional Office, Bhubneshwar, Orissa., District : Bhubaneswar, Orissa
2. Principal Eng. Med. Sr. Sec. School, Sector-Iv, Bhilai Nagar, Distict- Durg, Chhattisgarh.
3. Registrar Birth And Death Municipal Corporation, Jabalpur, Madhya Pradesh. **---- Respondents**

For Petitioner	: Shri H. B. Agrawal, Senior Advocate with Ms. Prabha Sharma, Advocate
For Respondent No. 1	: Shri T. K. Tiwari, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/04/2019**

1. Heard
2. The present petition is for correction of date of birth from 12/02/1995 to 10/02/1995. It is stated that the petitioner though was born on 10/02/1995, the school authorities inadvertently while forwarding and recording date of birth as 10/02/1995 has recorded it to be 12/02/1995.
3. Learned counsel for the petitioner contended that because of discrepancy in the date of birth, the petitioner has been deprived of right of getting employment in various fields and it needs to be

corrected. It is further submitted that the petitioner has not committed any fault therefore the prejudice will be caused for the reason for default of others.

4. Shri T. K. Tiwari, learned counsel for the respondent No.1 appears.
5. Heard the learned counsel for the parties and perused the documents.
6. Perusal of the document would show that the date of birth certificate issued by the State shows the date of birth as 10/02/1995 whereas the Aadhar card which is also enclosed shows the date of birth as 10/02/1995. Further the driving licence also shows the date of birth as 10/02/1995 and the annual examination mark-sheet of English Medium Senior Secondary School of class-9 shows the date of birth as 10/02/1995. The record which has been sent to Central Board of Secondary Education, New Delhi which is Annexure P-6, initially the date of birth was recorded as 10/02/1995; whereas Annexure P7 the mark-sheet shows the date of birth as 12/02/1995. Apparently, it appears that some typographical mistake has been committed by the school authorities or at the end of CBSE.
7. Considering the documents and facts involved in the case, it is directed that:-

(i) Respondent No.1 CBSE shall correct the entries in the mark-sheet of the petitioner with reference to his

correspondence date of birth certificate issued by the State.

(ii) The petitioner shall be obliged to sent back the original mark-sheet to the CBSE so that the correction may be carried out and fresh mark-sheet can be issued.

(iii) Petitioner should pay a demand draft of Rs. 1,000 in the name of Secretary of CBSE by way of original office CBSE Bhuvneshwar. The demand draft shall also enclosed to be submitted before CBSE.

(iv) The petitioner shall also file an application along with certified copy of this order to the school authority and CBSE so that necessary correction may be carried out.

8. Upon receipt of the said document, necessary steps shall be carried out to ensure to record the date of birth of the petitioner as 10/02/1995 in the mark-sheet and fresh mark-sheet should be issued in favour of the petitioner. It is further directed that within a period of two months and entire formalities be completed.

9. Accordingly, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge