

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3857 of 2019**

Tijesh Kumar S/o Ravi Shankar Aged About 35 Years Caste Maina,
R/o Village Muktaraja (Baradwar) Ward No. 6, Paladi Chowk District
- Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur Chhattisgarh.
2. The Secretary, Chhattisgarh Board Of Secondary Education Raipur District Raipur Chhattisgarh
3. Collector, Janjgir , District Janjgir Champa Chhattisgarh.
4. District Education Officer, Janjgir, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vinod Kumar Tekam, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24/10/2019**

1. The present writ petition has been filed seeking direction to the respondents authorities for correction of date of birth and surname of the petitioner in the 10th mark-sheet.
2. Perusal of the record shows that the petitioner appeared in the 10th board examination way-back in the year 2001. The results were published in the same year and the mark-sheet and certificate were also issued to the petitioner in the same year.
3. It appears that the petitioner all along never questioned the date of birth or the name of the petitioner printed in the said certificate and it is only after about 9 years that the petitioner has moved an application for correction of his date of birth. The respondents

authorities rejected the same in the year 2009 itself vide Annexure P/1 stating that the period within which the correction was to be sought was 3 years prescribed under the Rules and the same having being filed beyond the prescribed period stands rejected.

4. This order Annexure P/1 dated 08.10.2009 has not been challenged by the petitioner any further and the present writ petition now has been filed after another 10 years time seeking for correction of date of birth.
5. This Court at the outset itself finds the writ petition suffering from delay laches in as much as initially he took more than 9 years for raising a dispute so far as the erroneous date of birth is concerned, if any and subsequent to rejection of his request by the respondents in the year 2009, the petitioner has now filed the writ petition again after a period of more than 10 years. No plausible explanation has been given by the petitioner for not approaching the authorities or the Court within a reasonable time, if not, within the prescribed period.
6. In the absence of any such explanation or justification, this Court is inclined to dismiss the writ petition only on the ground of delay laches.
7. The writ petition accordingly stands rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved