

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1 WRIT PETITION NO.434 OF 2019

SURAJ BABULAL DHOBAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mrs. Nayana Patil, Advocate for the petitioner.
Mr. P.G. Borade, A.G.P. for respondent No.1.
Mr. S.B. Deshpande, Advocate for respondent No.2
Mr. K.B. Choudhary, Advocate for respondent No.3.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 19th December 2019.

PER COURT :-

. Mr. Patil, learned Counsel for the petitioner contends that the petitioner passed Senior School Education i.e. 12th Standard in the year 2013 and thereafter appeared for N.D.A. examination. At the time of verification of documents, it was noticed that in the certificate issued by the Secondary School Examination i.e. Kendriya Vidyalaya, birth date is wrongly recorded as "30.09.1995" instead of "03.09.1995". The petitioner on 26.11.2018 submitted application for correction of date of birth. Respondent No.3 forwarded the said application to respondent No.2, however, respondent No.2 had not taken any decision on it.

2. Mr. Choudhari, learned Advocate for respondent No.3 submits that respondent No.3 has already forwarded the proposal dated 26.11.2018 stating that erroneous date was recorded due to typographical error.

3. Mr. Deshpande, learned A.S.G. submits that the correction can be made only within five years.

4. It appears that the application has been made within five years. The petitioner passed examination in the year 2013 and the application has been made in the year 2018.

5. Under Regulation 69.1 (ii) of the Examination Bye-laws, application can be given within the period of five years.

6. In light of the above, respondent No.2 shall act upon the proposal submitted by respondent No.3 for correction of date of birth of the petitioner. The same shall be done preferably within three months.

7. Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)