

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.10693 OF 2019

Bharat s/o Mukundrao More .. Petitioner

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.M. Kamble, Advocate for petitioner
Mr S.B. Narwade, A.G.P. for respondent-State

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 28.08.2019

ORAL ORDER :

1. Learned Counsel for petitioner submits that the petitioner was regularised in service by the respondents under order dated 8.12.2015. The date of birth of the petitioner was wrongly recorded as 10.12.1957. The petitioner is issued with certificate by the Registrar under the Birth and Death Registration Act, wherein the date of birth of the petitioner is recorded as 10.12.1961. 10.12.1961 is correct date of birth of the petitioner. The representation has been wrongly negatived by the respondent/authority.

2. We have considered the submissions. The school leaving certificate of the petitioner's elder brother records the date of birth as 2.1.1957. The petitioner was admitted in the said school on 17.6.1968 and he was admitted to the 5th standard. If the date of birth of the petitioner would have been in the year 1961, then the petitioner would have been only 6 ½ years in 5th standard. The same is highly improbable.

3. There is nothing to show that date of birth recorded in the school record of the petitioner is incorrect. In light of that no error has been found on the part of authority.

4. Writ Petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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