

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.376 OF 2020

Suryakant s/o Tukaram ChavanPetitioner
Versus
The State of Maharashtra & Ors.Respondents

Mr. V.V. Ugale i/by S.V. Gundre, Advocate for the Petitioner.
Mr. K.S. Bapat, AGP for the Respondent-State.

**CORAM : RANJIT MORE &
SURENDRA P. TAVADE, JJ.**

DATE : 16th JANUARY, 2020.

P. C. :

1. Heard learned counsel for the respective parties.
2. By this petition filed under Article 226 of the Constitution of India, 1949, petitioner is challenging the communication dated 15.03.2019 issued by respondent No.2-Zilla Parishad, Satara as well as the communication dated 09.11.2016 issued by respondent No.4 rejecting his application for correction of the date of birth.
3. The communication dated 15.03.2019 shows that the petitioner for the first time applied for change of the date of birth on 20.02.2019, and therefore, the respondents have refused to consider the petitioner's application. Under Rule 38 of the Maharashtra Civil Services Rules 1981, the said application for change of the date of birth in the service record must be made within five years from the date of joining of service.

4. That apart, by now, it is settled position of law that the change of date of birth cannot be effected at the fag end of the service. The petitioner is due to retire on Monday i.e. on 20.01.2020, and therefore, we are not inclined to interfere in the impugned communication.

5. The petition being devoid of merit, the same is accordingly disposed of.

[SURENDRA P. TAVADE, J.]

[RANJIT MORE, J.]