

13. 09 . 2021

BP
Sl. 85
Court No. 17.

WPA 11524 of 2021
(Via Video Conference)

Shib Sankar Sahoo
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya
Mr. Gour Baran Sau
Mr. Raju Bhattacharyya
..for the petitioner.

Mr. B.P. Vaisya
Mr. Suman Dey
..for the State.

Mr. Sunny Nandy
Mr. Purnendu Maity
Mr. Subha Pathak
Mr. Tamal Singha Roy
..for the respondent no.4.

Ms. Koyeli Bhattacharya
..for WBBSE.

This matter relates to correction of age. The petitioner wants correction of date of birth in the admit card issued by the West Bengal Board of Secondary Education in the year 1978 and I am told that he appeared in the Madhyamik Examination on 04.04.1978. The petitioner knew his wrong date of birth recorded in the admit card for more than last 40 years.

Regarding the power of the West Bengal Board of

Secondary Education for correction of age, a Single Bench of this court referred the question of the power of the Board in this respect to a Larger Bench and the Larger Bench in WP 31343(W) of 2014 answered the reference in the following manner:-

“There is a time limit of seven years for an application for correction of the date of birth to be made in terms of the circular of October 3, 1977, but such time limit is neither rigid nor inflexible in that clause 8(vii) thereof conceives of applications being entertained after the period of seven years but only under special circumstances on the recommendation of the Age Correction Committee of the Board.”

I hold that the petitioner took no step for more than last 40 years for correction of his date of birth. In the meantime he has retired from service. No reason has been shown by the learned advocate appearing for the petitioner as to why such correction is necessary and, therefore, according to the answer given in the reference case as has been quoted above, there is no special circumstances for which the age correction committee can recommend for correction of age.

I do not find any merit in the writ application. The writ application is dismissed.

(Abhijit Gangopadhyay, J.)

