IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.963 OF 2021

Sangita B. Lakare ...Petitioner

V/s.

The State of Maharashtra and Ors. ...Respondents

Mr. Atharva Dandekar a/w. Mr. Chetan Yadav, Mr. Vijay Dhingreja and Mr. Ravish A. Mishra i/b V. B. Dhingreja for the Petitioner.
Mr. V. M. Mali, AGP for the Respondent-State.

CORAM : NITIN JAMDAR AND C. V. BHADANG, JJ.

DATE : 24 MARCH 2021.

P. C.

. Learned Counsel for the Petitioner submitted that the Petitioner is seeking a direction to make necessary corrections in the service book pertaining to the Petitioner's date of birth to be corrected as 13 February 1965 from 13 February 1963. The Petitioner is governed by the provisions of the Maharashtra Civil Services Rules. The Petitioner also accepts that the application is to be made within 5 years from the date of appointment. He however contends that the application could not be made earlier

as only when the Petitioner was going through his mother's belonging after her death that original birth certificate was found.

2. The Petitioner was appointed in the service in the year 1987. Service book entry of the date of birth has remained since the year 1987. When the Petitioner was due to retirement on 28 February 2021 this writ petition is moved. Admittedly, no application was made within 5 years period which is the time limit stipulated for that purpose. Change in date of birth affects not only service of the Petitioner but also others who are aspirants for the post, the Petitioner is holding.

3. The contention that it is only after the Petitioners' mother passed away that the Petitioner came to know is far too general and such a general statement, which cannot be verified, will be taken by any candidate to defeat the time limit.

4. No interference in writ jurisdiction is warranted. The writ petition is rejected.

(C. V. BHADANG, J.) **(NITIN JAMDAR, J.)**