

27-06-2022
ct no. 13
Sl. 36
sp

WPA 4758 of 2020

Charan Tudu

-Versus-

State of West Bengal & Ors.

**Mr. Ramashish Mukherjee,
Sk. Nezamuddini**

....for the petitioner

Mr. Sutanu Chakraborty

...for the State

**Mr. U.S. Menon,
Mr. Abhirup Chakraborty**

...for the respondent nos. 3 and 4

The petitioner is aggrieved by the date of birth (02.03.1995) in the Secondary School Certificate for the year 2009-11. The petitioner has produced his Birth Certificate, a Certificate of the local Councillor, the registration card of the CBSE examination, the Character Certificate of the Kendriya Vidyalaya, No.-1, AFS- Kalaikunda, West Bengal, Aadhar Card, all of which indicate his date of birth to be March 2, 1996.

A further communication from the Kendriya Vidyalaya dated May 25, 2019 also indicates that his date of birth is actually March 2, 1996. Indeed there appears to be a mistake in the records of the CBSE, particularly, the writ petitioner's secondary school examination certificate.

In that view of the matter, the Regional Officer, Central Board of Secondary Education, Bhubaneswar, shall take immediate steps to rectify the date of birth of the petitioner and issue a fresh secondary school certificate against correct date of birth, i.e., March 2, 1996 (Second day of March, Nineteen Hundred and Ninety Six).

This Court would have normally remanded the matter back to the CBSE for rectification of records and issuance of a formal order from their side. However, given the fact that the petitioner is an youngster and belongs to a tribal community, and is on the verge of receiving compassionate employment from the Railways, this Court makes an exception by directing the CBSE to rectify the date of birth of the petitioner in the birth record.

It is expected that the rectified certificate shall be issued within three weeks from the date of receipt of a copy of this order. The petitioner shall immediately surrender the original secondary school certificate containing the incorrect date of birth to the Principal of the Kendriya Vidyalaya No.-2, AFS- Kalaikunda, West Bengal. The school shall transmit the same to the Central Board of Secondary Education.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)