

Ct. 05
Item No.22
30.06.2022
(suvendu)

WPA 20535 of 2021

Latibur Rahaman
Vs.
The Union of India & Ors.

Mr. Anirban Chattopadhyay
Ms. Lipika Chatterjee
Mr. Soumik Dey
.....for the petitioner
Mr. Sourav Mondal
.....for the respondent nos. 3 & 4

Pursuant to leave given by this Court on the last occasion, the petitioner has filed a Supplementary Affidavit enclosing document issued by the West Bengal Board of Secondary Education which indicates that the petitioner's Date of Birth is 5th August, 1958. According to learned counsel appearing for the petitioner this is the same date which would presently appear in the petitioner's AADHAR Card and PAN Card.

Learned counsel appearing for the respondent nos. 3 and 4 being the Regional Passport Officer places an Office Memorandum of 22nd September, 2016 which specifies in Clause (iii) that the PIA will consider any change in the Date of Birth upon the applicant providing the Birth Certificate issued by the Registrar of Births and Deaths and under Clause 2, the Passport Issuing Authority will

consider the explanation of the applicant seeking change of the Date of Birth upon the genuineness of the claim even after the lapse of five years from the date of issue of the Passport.

Since a point has been raised with regard to the genuineness of the document which the petitioner now seeks to rely upon, WPA 20535 of 2021 is disposed of with a direction on the respondent nos. 3 and 4 to consider the case of the petitioner for change of Date of Birth upon assessing the genuineness of the document which the petitioner will provide to the said respondents at the time of hearing being given to the petitioner within three weeks from today.

The authorities shall be at liberty of giving to an independent assessment of the documents furnished by the petitioner for carrying out the necessary changes to the petitioner's Date of Birth. If the petitioner satisfies the respondents, the respondents shall take consequential steps within four weeks thereafter.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)

