

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.2669 of 2015

Nunu Nayak

....

Petitioner

-versus-

State of Odisha & Ors.

.... **Opposite Parties**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
30.06.2022**

**Order
No**

1.

1. This matter is taken up through Hybrid Mode.

2. Heard Mr. S.K. Lenka, learned counsel for the Petitioner and Mr. R.N.Mishra, learned counsel for the State-Opposite Parties.

3. It is submitted that seeking change of his date of birth, the Petitioner approached this Court in W.P.(C) No.14673 of 2014 and this Court vide order dated 11.08.2014 under Annexure-3 directed the concerned Head Mistress to consider and take a decision on such claim of the Petitioner within a period of two weeks from the date of filing of the application.

4. It is submitted that pursuant to the said order, the date of birth of the Petitioner has been corrected to 21.05.1966 in place of 21.05.1960 vide Annexure-4.

5. It is submitted that in spite of such correction being carried out by the School Authority, the Opposite Party No.2 is not acting on the same.

6. It is further submitted that seeking correction of the date of birth of the Petitioner, the Petitioner approached the Opposite Party No.2 on 25.02.2015 under Annexure-5, but no decision has been taken by the said authority till date.

7. In view of such position, this Court directs the Opposite Party No.2 to take a lawful decision on the claim made by the Petitioner under Annexure-5 within a period of three months from the date of receipt of this order. However, it is observed that this Court has not expressed any opinion on the merits of the case. The order so passed by the Opposite Party No.2 be also communicated to the Petitioner. The Petitioner be also provided a personal hearing by the said Opposite Party prior to taking a decision on the matter.

8. With the aforesaid observations and directions, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat