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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7529 OF 2022

Shri Dattatray Pandurang Dange

..... Petitioner

Vs.

The State of Maharashtra and Ors.

..... Respondents

Mr.Sachin Gite for the Petitioner

Mr.Vishwanath Patil for the Solapur Z.P.

Mrs.P.J.Gavhane, A.G.P. for the State

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JUNE 30, 2022

P.C.

1. Mr.Gite, the learned counsel for the petitioner submits that the petitioner was appointed as primary teacher in the year 1989. His date of birth was wrongly recorded as 01.06.1964. Correct date of birth is 01.06.1968. The petitioner within five years i.e. in the year 1993 gave an application for correction of date of birth in the service record. The said application was not considered. The petitioner was repeatedly inquiring with the authorities but to no avail. The learned counsel submits that his entry in the birth register is correctly recorded as 01.06.1968. The same will have

presumptive value. According to the learned counsel in all other documents such as Aadhar Card and Pan Card, date of birth of the petitioner is recorded as 01.06.1968. It is further submitted that even in the Government Gazette, date of birth is recorded as 01.06.1968. In view of that, directions may be issued to the authority to correct date of birth of the petitioner in the service record and direction be given to reinstate the petitioner.

2. We have heard the learned A.G.P.

3. The petitioner is already superannuated. The school record of the petitioner records date of birth as 01.06.1964. Pursuant thereto, date of birth of petitioner was recorded as 01.06.1964 in the service record. School record consisting primary and secondary, records the date of birth as 01.06.1964. Even School Leaving Certificate records date of birth as 01.06.1964. School record of the petitioner qua date of birth has not been corrected. In view of all these facts, it is not possible to entertain the plea of the petitioner. It is made clear that we have not dilated on the correct date of birth of the petitioner. However, as petitioner is superannuated and the school record depicts the date of birth as 01.06.1964, we have refrained ourselves from entertaining the Writ Petition.

4. Writ Petition is disposed of. No costs.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)