

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2349 OF 2021

Hukumchand Mansingh Rathod, Teacher, ZP High School Nildoh, Tal. Hingna, Dist. Nagpur

-vs-

State of Maharashtra, Thr. Its Secretary for the Education (Primary), Mantralaya, Mumbai and
ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. A. Marathe, Advocate for petitioner.

Shri A. Madiwale, Assistant Government Pleader for respdt. No.1.

Ms Mayuri Deshmukh, Advocate for respondent Nos.2 and 3.

Shri P. P. Pendke, Advocate for respondent Nos.4 and 5.

CORAM : A. S. CHANDURKAR AND ANUJA PRABHUDESSAI, JJ.

DATE : January 11, 2022

The petitioner seeks a declaration that his date of birth is 01/04/1966 and not 01/04/1964 as recorded in the records of respondent Nos.2 and 3. In support of this prayer the petitioner seeks to rely upon extract of the school register maintained by the respondent Nos.4 and 5. The petitioner on 24/08/2020 has made a representation in that regard to the respondent No.1 which is stated to be still pending.

The learned counsel for the respondents however submit that since the petitioner is to superannuate on 31/03/2022 it would not be permissible at this stage to permit such correction to be made in the records. Be that as it may, since it is found that the petitioner's representation dated 24/08/2020

addressed to the respondent No.1 is pending, the respondent No.1 is directed to take a decision thereon on its own merits and preferably within a period of four weeks from the production of this order. Order accordingly.

Writ petition is disposed of in aforesaid terms with no order as to costs.

(Anuja Prabhudessai, J.)

(A. S. Chandurkar, J.)

Asmita