

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH, NAGPUR**WRIT PETITION NO. 8016/2022**(Akram s/o Majid Khan Pathan vs. The State of Maharashtra and another)

Office Notes, Office Memoranda of
directions and Registrar's orders

Court's or Judge's order of

Mr.PP.Kotwal, Advocate for Petitioner/s

Ms.N.P. Mehta, Assistant Government Pleader for Respondents

CORAM : A.S. CHANDURKAR & ANIL L.PANSARE, JJ.**DATED** : 14th December, 2022.

Challenge raised, is to the order passed by the Maharashtra Administrative Tribunal on 08.07.2022 thereby refusing to entertain the prayer made by the Petitioner for correcting his date of birth in the service record. According to the Petitioner, his date of birth is 25.02.1968 and the same was incorrectly entered in the service book as 25.02.1965.

It is undisputed that the Petitioner first made an application seeking correction of date of birth only on 11.09.2020. It has been found by the Tribunal that such steps have been taken almost after 31 years of entering the service. It has further been stated that the date of birth as recorded is as per the date indicated in the school leaving certificate which was submitted by the Petitioner while entering the service. The date of birth in the school leaving certificate has not yet been got corrected by the Petitioner. The Tribunal has relied upon the provisions of Rule 38 of the Maharashtra Civil Services (Conditions of Service) Rules, 1981 and has found that the application for correction was made beyond the stipulated period, as permitted.

On hearing the learned Counsel for the Petitioner, we do not find that the Tribunal has committed any error in not accepting the prayer made in the Original Application. There is no explanation whatsoever for such a late effort on the part of the Petitioner to get his date of birth corrected. In any event, the date of birth having been recorded in terms of the school leaving certificate, no fault can be found with the order passed by the Tribunal. The Writ Petition is dismissed, with no order as to costs.

[ANIL L. PANSARE, J.]

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[A.S.CHANDURKAR, J.]