

27.03.2023
(D/L-13)
Ct.-18
(Susanta)

W.P.A. 6903 of 2022

Parayan Sarkar
-Vs-
The State of West Bengal & Ors.

Mr. Abhratosh Mazumder,
Mr. Barun Chatterjee,
Mr. Abhik Sarkar,
.... For the Petitioner.

Mr. Santanu Kumar Mitra,
Mr. Amrtya Pal,
.... For the W.B.C.H.S.E.

Mr. Mohan Kumar Sanyal,
.... For the Respondent No. 3.

Mr. Sanjay Kumar Baid,
.... For the Respondent No.5.

Mr. Dwijadas Chakraborty,
Mr. Abhishek Sikdar,
Ms. Sahili Dey,
.... For the Respondent No. 6.

Affidavit-in-opposition filed on behalf of the
Secretary, West Bengal Board of Secondary
Education, the respondent no. 3 herein be kept
with the record.

The petitioner is praying, *inter alia*, correction
of his date of birth in his school records and also
in his other educational testimonials.

The petitioner was admitted in Class- I of St.
Lawrence High School, Kolkata in the year 2003.

The said school authority, the respondent no.
5 herein in its affidavit-in-opposition to the writ
petition has disclosed all the relevant documents
on the basis of which the school authority had

recorded the date of birth of the petitioner. The said documents are the transfer certificate issued by the school of which the petitioner was an Upper Kg. student, the birth certificate issued by the Kolkata Municipal Corporation, the registration certificate, admit card and pass certificate of the petitioner in the Madhyamik examination.

The petitioner is alleging that his father made a mistake in providing his correct date of birth at the time of his admission in the school and as a consequence his date of birth in all of his educational testimonials has been wrongly recorded as May 01, 1997 instead May 01, 1996.

The petitioner in support of his said claim has annexed a hospital discharge certificate of the Ramkrishna Sarada Mission Matri Bhaban Kolkata.

The documents disclosed by the respondent no. 5 shows that the date of birth of the petitioner is May 01, 1997 and the said documents overweigh the evidentiary value of the said hospital discharge certificate inasmuch as from the later, birth of a male child by one Smt. Lipika Sarkar wife of Sri. Narayan Chandra Sarkar can only be inferred, nonetheless name of the mother of the said child has a resemblance with the name of the mother of the petitioner.

That apart the petitioner had attained majority in the year 2003 but approached this Court after expiry of almost twenty years, the writ petition is liable to be dismissed on the ground of unexplained delay alone.

The writ petition is highly speculative as such W.P.A 6903 of 2022 is dismissed with a cost of **Rs.20,000/- (Rupees twenty thousand only)** to be paid by the petitioner to the respondent no. 5 within two weeks from date.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)