

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

29 WRIT PETITION NO.9156 OF 2023

**ASHWINI KRUSHNA KHANDARE
VERSUS
THE PUBLIC HEALTH DEPARTMENT AND OTHERS**

**AND
50 WRIT PETITION NO.9227 OF 2023**

**GANGUBAI AMOL AHIRE
VERSUS
THE PUBLIC HEALTH DEPARTMENT AND OTHERS**

**AND
54 WRIT PETITION NO.9235 OF 2023**

**ANIL SAHEBRAO SALVE
VERSUS
THE PUBLIC HEALTH DEPARTMENT AND OTHERS**

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Mr. Dipesh D. Pande, Advocate for Petitioners
Mr. V. M. Kagne, Mr. P. K. Lakhotiya and Mr. S. G. Karlekar, AGPs
for Respondent – State
Mr. P. D. Suryawanshi, Advocate for Respondent Nos. 1 and 3

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 01.08.2023

PER COURT :-

1. Leave to correct the description of Respondent Nos. 1 and 3 in all these three petitions. Corrections be carried out forthwith.

2. Since Shri P. D. Suryawanshi, learned Advocate is on the panel of the Zilla Parishad, Jalna, we direct him to cause his appearance in these matters.

Writ Petition No.9156 of 2023

3. The maiden name of the Petitioner is Ashwini Sahebrao Salve. Her marital name is Ashwini Krushna Khandare. She contends that her date of birth mentioned in the school record as 10.11.2000 is the correct date of birth. The record identified as 'Mata Seva' register maintained by the Sub Primary Health Care Centre, Dabhadi, wrongly indicates her date of birth as 22.08.2002. She, therefore, wants her date of birth to be changed knowing-fully well that it would increase her age by around 18 months. Her application addressed to the District Civil Surgeon, Jalna dated 16.02.2023 seeking correction, is pending.

Writ Petition No. 9227 of 2023

4. The Petitioner Gangubai Amol Ahire is a married lady and is a housewife. She is the sister of Ashwini, the first Petitioner herein-above. She contends that her date of birth mentioned in the school record as 28.04.1999 is the correct date of birth. The record identified

as 'Mata Seva' register maintained by the Sub Primary Health Care Centre, Dabhadi, wrongly indicates her date of birth as 28.04.2000. She, therefore, wants her date of birth to be changed knowing-fully well that it would increase her age by one year. Her application addressed to the District Civil Surgeon, Jalna dated 24.02.2023 seeking correction, is pending.

Writ Petition No.9235 of 2023

5. The Petitioner Anil Sahebrao Salve is the biological brother of Ashwini and Gangubai. He contends that his date of birth mentioned in the school record as 03.04.1997 is the correct date of birth. In a record identified as 'Mata Seva' register maintained by the Sub Primary Health Care Centre, Dabhadi, wrongly indicates his date of birth as 02.06.1998. He, therefore, wants his date of birth to be changed knowing-fully well that it would increase his age by around 14 months. His application addressed to the District Civil Surgeon, Jalna dated 24.02.2023 seeking correction, is pending.

6. Though the State is not a party, the learned AGPs assist us by stating that the Petitioners have to make an application to the Chief Executive Officer, Zilla Parishad, Jalna for such correction.

7. In view of the above, these **petitions are disposed off** with liberty to the Petitioners to tender their applications to the Chief Executive Officer, Zilla Parishad, Jalna.

8. We direct the Chief Executive Officer, Zilla Parishad, Jalna to consider each of these cases with all seriousness and to find out whether these Petitioners are entitled for such correction of dates of birth and cause an inquiry as to whether all these three siblings want their dates of birth be advanced by adding years to their age, so as to avoid any disqualification which may be incurred by their parents on account of the last child Ashwini, who born after the cut-off date 12.09.2000, under the Maharashtra Village Panchayats Act, 1958.

9. We direct the learned AGP to communicate this order to the Chief Executive Officer, Zilla Parishad, Jalna.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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