

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11936 OF 2019

Tanaji Narayan Shinde
V/S

....Petitioner

The Managing Director
Maharashtra State Electricity
Transmission Company Ltd. & Ors.

....Respondents

...

Mr. Mithun Mahajan for the Petitioner.
Mr. Abhijit Joshi for Respondent Nos.1 to 3.
Mr. R.A. Salunkhe, AGP for Respondent No.4-State.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 10 JANUARY 2023.

P.C.:

1 The Petitioner seeks change of date of birth in the service record.

2 The learned Advocate for the Petitioner strenuously contends that the Petitioner was appointed as a Lower Division Clerk with the Respondents in the year 1994. The date of birth was recorded as 1 June 1966. However, the correct date of birth of the Petitioner is 20 July 1967. The Petitioner on or about 5 January 1995 applied for correction of the date of birth in the service book. The Respondent No.3 rejected the said Application on 13 December 2000 on the ground that date of birth in school leaving certificate is recorded as 1 June 1966. The Petitioner again in the year 2013 filed an application for rectification of the date of birth, the same was again rejected on 24 October 2013.

3 The learned Advocate for the Petitioner submits that there is genuine mistake in recording the date of birth in the school record. To substantiate his contention the learned Advocate for the Petitioner refers to Namuna No.A of the birth extract which is said to have been issued by the Gram Panchayat, Gangapur and the birth certificate.

4 We have heard learned Advocate for the Petitioner and Mr. Joshi, learned Advocate for the Respondent Nos.1 to 3.

5 It appears that the date of birth is recorded in the service book as per the representation of the Petitioner and on the basis of the date of birth recorded in the school record as produced by the Petitioner. It would appear that the Petitioner made an Application for change of date of birth on 5 January 1995. The same was rejected on 13 December 2000. The same was not challenged before this Court. Thereafter, on 7 February 2013 second Application was made by the Petitioner for change of date of birth. The same was also rejected on 24 October 2013. The said order is impugned by filing a Writ Petition in the year 2019. It also appears that request of the Petitioner to change the date of birth in the school record is rejected by the Education Officer in the year 1998. No steps were taken against the same. As per the date of birth recorded in the service book the Petitioner is at the verge of retirement. It would be too late in the day now to

entertain the Petition for correction of date of birth in the service book, when the same is recorded as per the representation of the Petitioner and as per the date of birth recorded in the school record.

6 In light of the above, no interference is called for. The Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)