

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9189 of 2017

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Sunil Kumar Pankaj Son of Late Kapildeo Narayan Singh, resident of Nehru
Nagar, Police Station-Patliputra, District-Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Chief Passport Officer, Regional Passport Office, Patna, D-Block,
Maurya Lok Complex, Patna-800
3. The Municipal Commissioner, Patna.
4. The Registrar Birth-Death, Patna Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi Sr. Advocate Mr. Mukesh Kumar, Advocate Ms. Diksha Singh, Advocate Mr. Amit Anand, Advocate Mr. Deep Shekhar, Advocate
For the UOI	:	Mrs. K Verma, C.G.C.
For PMC	:	Mr. Javed Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 6 11-01-2024 1. This application has been filed for quashing of a letter dated 65 dated 19.04.2018 issued by the Registrar (Birth-Death), Patna Municipal Corporation, Patna whereby and whereunder the birth certificate bearing registration no. 43220 dated 30.07.2015 issued by the respondent no. 4 in which the date of birth of minor daughter of the petitioner was mentioned as 18.01.2003, has been cancelled unilaterally, arbitrarily and without giving opportunity of hearing to the petitioner.
2. The Letter No. 65 dated 19.04.2018 has been passed by the Registrar (Birth-Death), Patna Municipal Corporation, Patna



(respondent no. 4) by which the date of birth of the petitioner being 18.01.2003 has been cancelled without hearing the petitioner though the petitioner had filed different documents for consideration of her case.

3. This kind of cancellation must be preceded by an opportunity to the affected party. The date of birth of a person cannot be altered or changed by any authority without hearing the petitioner.

4. In these circumstances, this application is allowed and the impugned letter no. 65 dated 19.04.2018 issued by the Registrar (Birth-Death), Patna Municipal Corporation, Patna is hereby quashed and the matter is remitted back to the Registrar (Birth-Death), Patna Municipal Corporation, Patna for fresh consideration in accordance with law i.e. after hearing the petitioner and after considering the documents produced by the her.

5. The decision must be taken within two months form the date of communication/receipt of a copy of this order.

6. With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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