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NB Ct. 24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(Appellate Side)

WPA 4009 of 2023

Yusra Shafique
Vs.
The Kolkata Municipal Corporation & Ors.

Ms. Naquibea Tasheen.
...for the petitioner.

Mr. Gopal Chandra Das,
Ms. Piyali Sengupta.
..for the KMC.

The communication made by the Deputy Chief Municipal Health Officer, Kolkata Municipal Corporation on 7th February, 2023 rejecting the petitioner's prayer for change of date of birth as recorded in the records maintained by the Corporation is impugned in the instant writ petition.

It appears that the guardian of the petitioner was able to obtain two birth certificates from the Kolkata Municipal Corporation disclosing two different dates of birth of the petitioner. One records that the petitioner was born on 26th April, 1993 and the other records that the petitioner was born on 26th June, 1993. The petitioner asserts that 26th April, 1993 is his proper date of birth.

The petitioner prays for an order directing the Corporation to rectify its records and mention 26th April, 1993 as the date of birth of the petitioner.

According to the provisions of the Kolkata Municipal Corporation Act, 1980, any correction/ alteration in the register

is required to be done in accordance with the provision of Section 455 of the Act. The petitioner is directed to take steps in accordance with the aforesaid provision.

The Corporation shall take consequential steps in accordance with the order that would be obtained from the learned Magistrate in this regard at the earliest.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)