

05.01.2024
AKG
19
Ct. No. 238

WPA 27511 of 2023
Dr. Arun Kumar Barik
– Versus –
Union of India & Others

Mr. Mani Sankar Chattopadhyay,
Ms. Shalini Singh
... For the petitioner.

Mr. Debashish Basu,
Ms. Anamika Pandey,
Ms. Sneha Singh
... For the Respondents.

The petitioner is an Associate Professor Visva-Bharati, Shantiniketan, Birbhum.

The petitioner sought to correct his date of birth from September 24, 1959 to August 18, 1961.

It appears that his prayer for correction of date of birth was turned down by the university by a communication dated December 7, 2017. The relevant part of the said communication is quoted below:

“The undersigned is to inform you that your appeal for change of date of birth as 18.08.1961 instead of 24.09.1959 can not be acceded to as per legal rules.

Therefore, your date of birth as recorded in the Service Book will remain unaltered as 24.09.1959.

This is for your kind information

Thanking you,”

Suffice it to say that the order is a non-speaking one; it does not disclose any reason for not acceding to the prayer of the petitioner.

Accordingly, the said communication, dated December 7, 2017 issued by the Joint Registrar (Establishment), Visva-Bharati, is set aside. The university shall consider the prayer of the petitioner for correction of his date of birth in the Service Book afresh within one month from the date of communication of this order after giving an opportunity of hearing to the petitioner. The petitioner will be entitled to rely upon the necessary documents to substantiate his claim before the university. The reasoned order should be communicated to the petitioner immediately thereafter.

WPA 27511 of 2023 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)