



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 WRIT PETITION NO. 263 OF 2016

Syed Liyakat Ali Syed Waheb Miyan
age 42 years, Occ. Service as
Assistant Teacher in Shanbhu Mahadeo
Secondary and Higher Secondary School,
Waturphata, Tq. Partur, Dist. Jalna.
R/o Near Masjeed, Burhan Nagar,
(Sai Nagar), Jalna. Petitioner.

VERSUS

1. The Education Officer (Secondary),
Zilla Parishad, Jalna.
2. Shambhu Mahadev Secondary and
Higher Secondary School, Watoor
Phata, Taluka Partur, Dist. Jalna
Through it's head Master. Respondents.

...
Advocate for the Petitioner : Mr. A.S. Deshpande
AGP for Respondent no.1 : Mr. A.M. Phule
...

**CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.**

Dated : March 20, 2024

PER COURT :-

1. Present petition has been filed with following relief :-

“B The Respondents may kindly be directed to effect necessary changes in his date of birth as recorded in his service book, in as much as instead of 3.3.1971, his date of birth be ordered to be recorded as 4.6.1972, as per the corrected SSC certificate at Exhibit B herein-above, which has been so corrected under the orders of this Hon'ble Court in WP 5334 of 1998 at Exh.A to this Petition.”

2. Heard learned advocate for the petitioner and the learned AGP for respondent no.1.

3. The facts, which are not in dispute are that date of birth in the SSC certificate of the petitioner was incorrect and, therefore, he had approached this Court by filing Writ Petition no.5334 of 1998. The said petition came to be allowed. His correct birth date was 3.3.1971, which was got corrected as 4.6.1972. The Board has corrected the said date of birth on 25.11.2015 pursuant to the said order passed in writ petition on 31.3.1999. Thereafter, it appears that the petitioner was seeking corrections to be made in his service record and the application was given on 11.12.2015 to the Head Master i.e. respondent no.2. As it is not yet done as per the petitioner, he has filed present writ petition.

4. Respondent no.2 (as per amendment) though served, failed to appear.

5. It is to be noted that already this Court had directed correction to be made in the school record in respect of date of birth of the petitioner. Accordingly, it was so carried out by the Board. Consequence thereof should be that it should reflect in the service record of the petitioner.

6. In view of this situation, the Writ Petition stands disposed off in terms of prayer clause “B”.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

...

aaa/-