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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 WRIT PETITION NO. 9461 OF 2024

PRAVIN JANARDHAN YASHWANTE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

Mr.A.N.Sabnis, Advocate for the Petitioner.

Mr.A.B.Girase, Government Pleader for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : SEPTEMBER 3, 2024

PER COURT :

1. The Petitioner is a 41 years old adult, who is in private employment (details are not set out in the Petition).

2. The Petitioner's date of birth, as recorded in the School Pravesh Nirgam (प्रवेश निर्गमन रजिस्टर) Register maintained by the Maharashtra State Education Department, indicates his date of birth as 01.01.1970. In June 1985, he was in the 9th standard in the Matsyodari Vidyalaya, Ambad. This means he was 15 years and 6 months old in the 9th standard.

3. The Petitioner has produced a birth certificate obtained by his father, purportedly on 11.07.1996, from the Aurangabad Municipal

Corporation – Health Department. According to the said birth certificate, the Petitioner is said to be born on 26.09.1972 and the date of registration is Sept.1972. The birth certificate is issued on 11.07.1986. Be that as it may, even if it is assumed for the sake of assumption that, the Petitioner was born on 26.09.1972, in June 1985, the Petitioner would be 12 years and 9 months old in the 9th standard. Meaning thereby that, the Petitioner was admitted in school when he was 3 years and 9 months old.

4. In view of the above, on pre-ponderance on the principles of probabilities and the school record indicating the date of birth as recorded when this Petitioner was admitted in school, we do not find any reason to entertain this Petition and more so, in the light of the conclusions of the learned Full Bench in paragraph No.39 (a to d) delivered in **Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Others [2019(6) Mh.L.J. 769]**.

5. **This Writ Petition is, therefore, dismissed.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)