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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10009/2024**

SAHIL PUNDIR

.....Petitioner

Through: **Mr. Karan Luthra, Mr. Naman
Gowda, Advocates.**

versus

UNION OF INDIA & ANR.

.....Respondents

Through: **Ms. Nidhi Raman, CGSC with Mr.
Akash Mishra, Ms. Rashi Kapoor,
Advocates for UOI.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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22.07.2024

CM APPL. 40964/2024 and CM APPL. 40965/2024 (Exemptions)

1. Exemptions are granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the applications stand disposed of.

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4. The Petitioner having discovered an error in the date of birth recorded on his passport, submitted an application (No. DL2076079764422) on 9th February 2022, seeking to correct this date from 19th February 2000 to 19th January 2000. This request was necessitated by an initial mistake in the birth certificate used during the original passport application process, which erroneously recorded the birth date as 19th February 2000—a mistake carried



forward to the Petitioner's passport.

5. The Petitioner explains that an erroneous birth certificate was prepared incorrectly recording his date of birth as 19th February, 2000. Petitioner's parents inadvertently annexed his erroneous birth certificate while applying for his passport when he was a minor. On the basis thereof, the Respondents issued passport bearing No. G9839963, wherein the date of birth of the Petitioner was wrongly recorded as 19th February, 2000. On 19th August, 2013 the validity of the passport expired. Thereafter the Petitioner filed the application (No. DL2076079764422) for re-issuance of passport with the correct date of birth. According to the Petitioner, his application (No. DL2076079764422) for correction has been closed, as indicated by the status on Respondent No. 1's website. No further details or communication regarding the closure have been provided to the petitioner, leaving the erroneous date of birth uncorrected.

6. Counsel for the Petitioner submits that the application (No. DL2076079764422) was submitted with several documents including updated birth certificate, matriculation certificate, Aadhaar Card, PAN Card and Driving License. These documents collectively corroborate the Petitioner's claimed date of birth as 19th January 2000. Despite providing all these documentations, the Respondents have not accepted the request to process the Petitioner's application dated 9th February, 2022.

7. Ms. Nidhi Raman, counsel for Respondents, explains that the presence of two different birth certificates necessitated a verification process to ascertain the correct date of birth. She states that previous attempts to clarify the discrepancy did not elicit a response, leading to the administrative decision to close the application.



8. However, Ms. Nidhi Raman, on instructions, submits that if Petitioner is to apply afresh, the Respondents shall process Petitioner's request expeditiously.

9. Counsel for the Petitioner responds positively to the suggestion of reapplying, but states that all previously submitted documents must be considered in the new application process. Furthermore, he seeks assurance that he will not need to seek judicial intervention again for the same matter, indicating a desire for a definitive resolution through this renewed administrative process.

10. In light of the above, the present petition is disposed of with the following directions:

(a) Petitioner shall re-apply for issuance of passport within a period of two weeks from today and furnish all the relevant documents.

(b) Respondents shall verify Petitioner's birth certificate and consider the Petitioner's application and take a decision thereon expeditiously.

11. For this purpose, Petitioner is permitted to meet the passport officer and furnish any clarification that may be required.

12. With the above directions, the present petition is disposed of accordingly.

SANJEEV NARULA, J

JULY 22, 2024
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