

18 19.02.2025
rkd Ct.18

W.P.A. 2463 of 2025

Debabrata Mandal

-vs-

The State of West Bengal & Ors.

Mr. Anujit Mukherjee,
Mr. Abdul Rakib,
Mr. Arijit Pradhan,
Mr. Mejahid Mehedi

....for the petitioner.

Mr. Subhro Prokash Lahiri,
Mr. Varun Raj Tiwari

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Ms. Keya Panja

....for the WBBSE.

Mr. Sourav Mitra

....for the WBCSSC.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

In spite of service of notice upon the
authority of Ismalichak M.Y.S.B. Vidyalaya, Purba
Medinipur (hereinafter referred to as "said school")
school is not represented.

The grievance of the petitioner is wrong
recording of date of birth in the records maintained
by the said school authority since petitioner was a
student of the said school.

The petitioner's application for correction of
date of birth based on Birth Certificate dated 27th
December, 1989 wherein date of birth of the

petitioner is recorded as 21st August, 1988 whereas in the records maintained by the said school authority date of birth is recorded as 1st January, 1987.

Petitioner made an application for correction of date of birth in the prescribed proforma which is required to be countersigned by the District Inspector of Schools (SE), Purba Medinipur for taking decision by the concerned authority of the West Bengal Board of Secondary Education. Such application of the petitioner seeking correction of date of birth is at pages 10 & 11 of the writ petition.

The learned advocate representing the Board submits unless application in the prescribed proforma is countersigned by the concerned District Inspector of Schools (SE) Board cannot take decision. .

The learned advocate representing the State respondents submits due to an endorsement of school said application has not been countersigned.

This Court finds that in terms of the procedure concerned authority of the Board is required to take decision on the application made by the petitioner seeking correction of date of birth.

It is not the District Inspector of Schools

(SE) to take decision. Due to failure on the part of the District Inspector of Schools (SE) to countersign the application form the petitioner could not submit the same before the Board for taking decision.

The District Inspector of Schools (SE), Purba Medinipur being respondent no.4 is directed to countersign the application form of the petitioner by seven days from the date of communication of this order.

After the application form is countersigned by the respondent no.4 the petitioner shall submit the same within seven days thereafter before the concerned authority of the Board.

On receipt of such application concerned authority of the Board shall decide the same by eight weeks thereafter.

The writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)

