



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9989 OF 2025

SANDIPAN DAGDU PAYAL
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. S.R Dhakane and Adv. R.B. Dhakane
AGP for Respondents/State : Mr. V.M. Kagne
...

CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.

DATE : 18.09.2025

PER COURT:

1. This writ petition is another example of abuse of the process of law and the manner in which writ jurisdiction under Article 226 of the Constitution of India is sought to be misused by such litigants.
2. It is an admitted position that a suit filled by the petitioner for correction of his date of birth was dismissed by an order passed as far back as on 24.06.2005. The appeal filed against the said order of the Civil Court was dismissed by a reasoned Judgment and Order, as far back as on 25.01.2008. It is also an admitted position that the said orders attained finality in the absence of any further challenge being raised.
3. In fact, in paragraph 15 of the Writ Petition the petitioner has stated as follows :

“15. The petitioner has tried everywhere for correcting the date,

even by filing the necessary suits, but failed into its entirety, even the Appeal has been dismissed, and after consulting everywhere, has not been completely satisfied on the issue of the solution on the correction of the date, therefore, has approached belatedly which is neither deliberate nor intentional, if any kind of delay on the part of the petitioner, needs to be condoned in the interest of justice and for correcting the date of birth in the village record and in the register of the service, which will avoid the miscarriage of justice.”

4. We find that this petition is nothing but an abuse of the process of law and particularly of writ jurisdiction exercised under Article 226 of the Constitution of India.
5. In view of the above, the petition is dismissed.
6. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)