



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 WRIT PETITION NO.12781 OF 2025

SUMIT SUBHASH DONGARE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. V.G. Salgare, Advocate for petitioner

Mr. V.M. Kagne, AGP for respondent Nos.1 to 3

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 15th OCTOBER, 2025

ORDER :

. Present petition has been filed challenging the letter dated 03.01.2025 issued by Assistant Director of Education of respondent No.2 refusing the proposal for change/correction in the date of birth of petitioner.

2 Heard learned Advocate Mr. V.G. Salgare for petitioner and learned AGP Mr. V.M. Kagne for respondent Nos.1 to 3. After learned AGP waives notice for respondent Nos.1 to 3, no necessity to issue notice to respondent Nos.4 and 5.

3 We have perused the documents annexed. It appears that the petitioner had submitted all the documents before Education Officer (Secondary), Zilla Parishad, Beed and thereafter by letter dated 14.06.2024 the said proposal was forwarded to Assistant Director of Education, Chhatrapati Sambhajanagar Division. The said proposal came to be rejected on the ground that birth certificate that has been supplied bears the date 09.05.2024 i.e. when the said document was fetched and since the document regarding first admission has not been given. It appears that the concerned Officer had not considered the birth certificate or the noting that was given by the Hospital where the petitioner was born. Of course, name of petitioner will not be there, but it is stated that mother of petitioner had delivered male child and then the birth certificate which is in fact a statutory document that is kept as per the provisions of statute having the date of registration as 15.10.2004 shows that the present petitioner's birth date is 26.09.2004. The said document ought to have been accepted by the Assistant Director of Education. The copy would certainly be before the date on which it is issued, but what was important is date of registration. Under such circumstance, the letter dated 03.01.2025 regarding refusal to correct date of birth of petitioner is erroneous. The petition, therefore, stands **allowed**.

4 The impugned letter dated 03.01.2025 issued by Assistant

Director of Education stands set aside.

5 Respondent No.2 is directed to pass the order to correct the date of birth of petitioner from 10.12.2006 to 26.09.2004 in the school / college record.

6 Such order to be passed within a period of 15 days from today.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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