



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5088/2024

Ms. Janhavi Kumar Raju Kondur

...Versus...

Central Board of Secondary Education Through its Secretary (M & M),
Chennai – 600040 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. M. Anil Kumar and Mr. Yash Kullarwar, Advocates for petitioner
Mr. P.S. Chawhan, Advocate for respondent No.1
Mr. A.S. Manohar, Advocate for respondent No.3

CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATE : 04/03/2025

1. The petition questions the communication by the respondent No.1, dated 12/03/2024, by which a request for correction of the date of birth in the Secondary School Certificate, which is recorded as “09/03/2003” and is sought to be corrected as “09/03/2002” has been rejected, in view of Rule No.69.2 of the Amended Examination Bye-Laws, which says that no change in the date of birth once recorded in the Board’s records shall be made (pg.41).

2. Learned Counsel for the petitioner invites our attention to birth report at page 22, which indicates a female child being born to the parents of the petitioner. The certificate of birth of the petitioner at page 15 also records that on 30/09/2002 the date of birth of the petitioner was registered as 09/03/2002.

3. Though Mr. Chawhan, learned Counsel for the respondent No.1 vehemently supports the impugned decision, however, in view of what the learned Full Bench has held in *Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and others, 2019 (6) Mh.L.J. 769* that change in the date of birth would be permissible on account of an obvious mistake, we set aside the impugned communication dated 12/03/2024, as the recording of the date of birth of the petitioner in the Secondary School Certificate as 09/03/2003, is an obvious mistake in light of the recording of the date of birth of the petitioner in the birth certificate as 09/03/2002, which is on the basis of the birth report at page 22.

4. We, therefore, direct the respondent No.1 to issue a corrected certificate to the petitioner indicating the date of birth of the petitioner to be 09/03/2002 within a period of four weeks from today.

5. The writ petition is accordingly allowed in the above terms. No order as to costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)