

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10498 of 2025

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Shouzeb Sharique Neyazi Son of Mohammad Sharique Hussain Nayazi,
Resident of Flat No.A-1105, Expression Exotica, Gola Road, Danapur,
Danapur Cantt P.S.- Rupaspura, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of External Affairs,
Government of India, South Block, New Delhi.
2. The Secretary, Ministry of Home Affairs, Govt. of India, New Delhi.
3. The Secretary Ministry of External Affairs, Govt. of India, New Delhi.
4. The Regional Passport Officer, Passport Seva Kendra, Aaron IT Park, PLOT
No. VI/I and 2, Patliputra Industrial Estate Patna, Bihar.
5. The Officer-in-Charge, Passport Verification Cell, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Maria Nazir, Adv.

For the Respondent/s : Mr. Alok Kumar, CGC

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-05-2026 Heard Ms. Maria Nazir, learned counsel for the

petitioner and Mr. Alok Kumar, learned CGC representing the

Union of India.

2. The instant writ petition has been filed for
directing the respondents to accept the petitioner's matriculation
certificate as valid proof of date of birth and to issue passport to
the petitioner in accordance with law after reopening the
petitioner's passport application bearing File No.
PA1070118895824.

3. Learned counsel for the petitioner submits that in
order to obtain a passport certificate while the petitioner was a



minor, there has been some discrepancies in the date of birth which was mentioned in the application form and owing to such discrepancies which had occurred in the application form for seeking issuance of passport, the date of birth which has been referred in the matriculation certificate has come under cloud. This petitioner is said to have obtained his matriculation certificate in his favour after having passed the Matriculation Examination, which is said to have been conducted in the year 2022 by the Central Board Secondary Examination and on the strength of such Matriculation Certificate, the petitioner is said to have applied for issuance of fresh/renewed passport and owing to there being some discrepancies in the earlier date of birth, which is mentioned in the earlier passport, the Regional Passport Officer has refused to process the said application.

4. It is the case of the petitioner that under Passport Rules, 1980 (as amended, 2016) for the purpose of verifying the date of birth, the Matriculation certificate has also been declared to be a valid document for proof of birth and, accordingly, a Notification to this effect has also been issued by the Ministry of External Affairs which is notified on 23.12.2016, in terms of the powers conferred under Section 24 of the Passport Act, 1967, which goes to show that for proof of birth certificate issued by



the Registrar of Births & Deaths or the Municipal Corporation or any other authority prescribed under Section 2(ii) Transfer to school leaving or matriculation certificate issued by the recognized school last attended or recognized educational board having the date of birth of the applicant has been recognized to be a valid document and similar issues having been put to challenge before this Court and the Co-ordinate Bench in the case of *Nida Amina Ahmad v. The Union of India & Ors.* (CWJC No. 16471 of 2021) vide its judgment dated 21.02.2023 has held that for change of date of birth, the matriculation certificate shall be considered to be the valid proof of date of birth and accordingly, the Regional Passport Officer, Passport Seva Kendra, Aaron IT Park, Plot No. VI/I & 2, Patliputra Industrial Estate, Patna, Bihar may be directed to make necessary correction in the original passport, which presently is said to have expired and upon making necessary correction, the said passport may be directed to be renewed.

5. On the other hand, learned counsel appearing for Respondents no. 1 to 4 submits that the discrepancies which have occurred in the original passport for which there is already a guideline issued and the requisites for making such corrections in the date of birth had already been notified by the Ministry of



External Affairs through its Notification 24.02.2025 in exercise of the powers conferred by section 24 of Passport Act, 1967, the appropriate authority may accordingly be directed to take necessary decisions and as also taking cue from the judgment rendered by the Co-ordinate Bench.

6. Considering the submission of the parties, this Court directs the Regional Passport Officer, Passport Seva Kendra, Aaron IT Park, Plot No. VI/I & 2, Patliputra Industrial Estate, Patna, Bihar to examine the matriculation certificate of this petitioner and once, such documents are found to be genuine, then in terms of the guidelines issued by the Ministry of External Affairs through its Notification 24.02.2025, appropriate decisions shall be taken and necessary correction in the date of birth in the original passport shall be made and the same shall be renewed at the earliest, if there is no other legal impediment.

7. The writ petition stands disposed of with the aforesaid observation and direction.

(Ajit Kumar, J)

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