

S/L 16
23.02.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 3295 of 2026

Apurba Kumar Rahut

Vs.

The State of West Bengal & Ors.

Mr. Sounak Bhattacharyya

Mr. Samaresh Ch. Dhara

...for the Petitioner.

Mr. Sandip Mandal

...for the State.

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

Mr. Manas Bhattacharyya

...for WBBSE.

1. Affidavit of service filed in Court today be retained with the records.

2. The petitioner is aggrieved by the order passed by the President, Ad hoc Committee, West Bengal Board of Secondary Education on January 5, 2026 rejecting the prayer of the petitioner for correction of his date of birth in the records maintained by the Board.

3. The date of birth as appearing in the application form for Madhyamik examination which is preserved in original by the Board mentions the date of birth of the petitioner as February 22, 1966.

4. The petitioner contends that his proper date of birth is February 21, 1970. In support of the same, the petitioner relies upon the photocopy of the admission register of the school where his name appears showing his date of birth as February 21, 1970.

5. The petitioner is serving as Assistant Teacher of a school. He is due to retire on February 28, 2026. He prays for a direction upon the authority to correct the date of birth in his service records relying on the entries made in the admission register of his school.

6. The impugned order of the Board clearly mentions that the application form of the petitioner shows that the petitioner, in his own handwriting, has written his date of birth as February 22, 1966. He appeared in the madhyamik examination in 1984 and applied for correcting the date of birth in the records of the Board only in the year 2022, i.e., just prior to his retirement.

7. Learned advocate representing the Board draws attention of the Court to paragraph no. (vi) of the impugned order wherein the Government memorandum issued by the Finance Department is mentioned prescribing that any request for change of date of birth by an employee of the Government or the statutory body must be made within five years of joining the service. The same has not been done in the instant case.

8. The petitioner refers to a communicating letter, allegedly signed by his father, requesting the school to rectify the date of birth of the petitioner submitted in the year 1983.

9. Assuming that an application was made by his father for correcting his date of birth, the same was

not proceeded with, for the reasons best known to the petitioner.

10. Admittedly, the petitioner is due to retire this week and the writ petition has been affirmed and filed before this Court on February 10, 2026. By simple mathematical calculation, if the date of birth claimed to be proper by the petitioner, i.e., February 21, 1970 is taken to be correct, then fact remains that the petitioner appeared in the madhyamik examination in the year 1984 at the age of 14 years. The prescribed age to appear in the madhyamik examination is 16 years. No special permission has been produced by the petitioner to show that he was allowed to appear in the madhyamik examination at the age of 14 years.

11. The prayer of the petitioner for correction of his date of birth just five days prior to his retirement cannot be allowed.

12. The writ petition fails and is hereby dismissed.

13. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)