

06. 21.01.2026.
Court No.03.
(Pritam)

WPA 17903 of 2024.

Kishore Chakraborty.

-Vs.-

Kalyani Municipality & Ors.

Mr. Surajit Roy.

.....for the petitioner.

Mr. Bipin Ghosh.

.....for the State.

Mr. Tapan Kumar Rakshit.

.....for the municipality.

1. The writ petition has been filed, *inter alia*, praying for a direction upon the respondent nos.2 and 3 to correct the date of birth of the petitioner in the service records by changing the date of birth as 10th November, 1972. Following documents namely the Voter identity card, Aadhaar card, Pan card, including the passport has been disclosed in support of his contention. The petitioner claims to have appeared in Madhyamik through Kanchrapara Poly Technique High School, and according to him since he was a student of a private school which did not have the authority to put up candidates for Madhyamik examination, he appeared through the above poly technique school which is a Government approved school. The petitioner also claims

that though a date of birth has been incorporated in the form of Madhyamik examination, the same was filled up by the private school. The petitioner did not have any knowledge with regard to the same.

2. According to the petitioner, he was completely unaware of what was written in the particular form. Later, the petitioner had entered into the service of the municipality and also claims that his name was entered into the Muster Role (M.R.) in 1998, in Kalyani Municipality.
3. According to the petitioner, during the period of November 2011, all candidates who were engaged in the Muster Roll, including the petitioner were brought under Employees' Provident Fund Scheme. Consequent upon the same, the municipal authorities started deducting provident fund contributions from October 2012 from the salary of the petitioner and since then, it has been continuing.
4. According to the petitioner, at the time of introduction of the Employees Provident Fund Scheme, the petitioner was asked to submit his date of Birth Certificate. The petitioner claims that instead of submission of date of Birth Certificate he submitted the admit card of the Madhyamik examination before the authority, wherein his date of birth is recorded as 10th January, 1966, though, 10th January, 1972 is his actual date of birth. He has since, applied for the correction of the date of

birth. According to the petitioner, the documents relied on including the Aadhaar card and the passport reflected the correct date of birth. In the light of the above, the municipality should be directed to act in accordance with such documents and correct his date of Birth.

5. Having heard the learned advocates for the respective parties, I find that though a passport can be considered to be a, *prima facie*, proof of the date of birth of a person, however, in the instant case, the date of issue of the passport is 24th February, 2023. The same is not a contemporaneous documents. The other documents relied on are also not contemporaneous. It is also well-settled that an application for change of date of birth cannot be entertained at the fag-end of the service career.
6. Admittedly, in the instant case, at the time of enrolling as the daily rated worker, the petitioner had disclosed his date of birth on the basis of the recording made in his Madhyamik admit card.
7. It is too late in the day for the petitioner to contend that the recording made in the admit card of the Madhyamik Examination is incorrect. The petitioner having disclosed his date of Birth at the time of entering into service on the basis of the Madhyamik Admit Card cannot be permitted to alter the same.
8. The writ petition fails and is accordingly dismissed.

9. There shall be no order as to costs.

(Raja Basu Chowdhury, J.)