

Punjab-Haryana High Court

The vs Unknown on 21 July, 2009

CWP No.631 of 2009

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In the High Court of Punjab and Haryana at Chandigarh.

Date of decision:21.07.2009

Sukhjeet Kaur Vs. Punjab School Education Board, through its
Secretary.

Present: Mr.Arvind Singh, Advocate.
Mr.PP Singh, Advocate.

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PERMOD KOHLI, J. (Oral):

The petitioner applied for correction of his date of birth to respondent-Board vide his application dated 10.12.2008, Annexure P-6 giving details of the circumstances for the change of date of birth from 05.02.1973 to 02.10.1974 in the Matriculation Certificate issued by the respondent-Board. The petitioner produced matriculation certificate as also the date of birth certificate issued by the Additional Distt. Registrar, Births and Deaths, Moga.

The grievance of the petitioner is that his application for correction in his date of birth has not been decided till date. The petitioner has accordingly, filed this petition seeking a direction in the nature of mandamus to decide his application for correction of date of birth.

In the reply filed by the respondents, it is stated that the application of the petitioner for correction of date of birth is beyond the required period of two years. It is also stated that such applications could be filed within a period of two years and by seeking condonation of delay, the same can be filed within a period of five years. The fact remains that respondents have not passed any order rejecting or accepting the application of the petitioner for correction of change of date of birth. It is obligatory upon the respondents to decide the application for correction of change of date of birth. However, the respondents have failed to discharge their obligations.

In view of the above, this petition is disposed of with a direction to the respondent-Board to take a decision on the application of the petitioner dated 10.12.2008, Annexure P-6, within a period of two months from the date of receipt of a certified copy of this order. The respondents while deciding the application will take into consideration all the circumstances referred to here-in-above and pass consequential order. Needless to say, in the event the claim of the petitioner is to be rejected, it shall be by a speaking and reasoned order.

21.07.2009

(PERMOD KOHLI)

BLS

JUDGE

Note: Whether to be referred to the Reporter? NO