

(2001) 03 GUJ CK 0008
In the Gujarat High Court

Case No : Special Civil Application No. 2251 of 2001

Sohina Ramjanali Hemani

APPELLANT

Vs

Regional Passport Officer

RESPONDENT

Date of Decision : 30-03-2001

Acts Referred:

Citation : (2001) 03 GUJ CK 0008

Hon'ble Judges : Kundan Singh, J

Bench : Single Bench

Advocate : Paurami Sheth, for Akshay H. Mehta, for the Appellant; Sr. Central Government Standing Counsel, for the Respondent

Judgement

Kundan Singh, J.—Rule. Ms. Paurami Sheth for Sri Akshay H. Mehta, Sr. Central Govt. Standing Counsel appears and waives service of rule on behalf of the respondent. This petition has filed for a direction to the respondents to correct the date of birth of the petitioner entered in the passport as 5-5-1975 instead of 5-5-1976 in the passport which is going to expired on 8-10-2001.

2. The learned counsel for the petitioner submitted that due to inadvertence wrong date of birth of the petitioner has been mentioned in the passport which is to be expired on 8-10-2001. The petitioner has moved the application before the respondent authority for correction of his birth date as 5-5-1975 as mentioned in the Register of Births and Deaths & School Leaving Certificate, in the passport but the respondent authority has refused to entertain the same as it has no power or authority of law to make correction in the birth date of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is required to be allowed and the respondent authority concerned is directed to consider and decide the application filed by the petitioner in accordance with law and make correction with regard to the date of birth of the petitioner as 5-5-1975 in place of 5-5-1976 in the passport and issue a new passport with correct date of birth

as 5-5-1975 of the petitioner, within one month from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is made absolute.