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WP-47098-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 19th OF JUNE, 2026WRIT PETITION No. 47098 of 2025*SAVITRI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Shankar Singh Tomar - Advocate for the petitioner [P-1].

Ms. Smrati Sharma appearing on behalf of Advocate General[r-1].

Shri Mayank Mishra, learned counsel for the respondent [R-4].

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ORDER

The present petition has been filed by the petitioner under Article 226 of the Constitution of India seeking following reliefs:

7.1 यहकि, प्रतियाचिकाकर्ता कमांक 2 को निर्देशित कर याचिकाकर्ता के प्रकरण /जन्मतिथि सुधार आवेदनपत्र का शीघ्र निराकरण करने एवं याचिकाकर्ता की दसवी की अंकसूची में अंकित त्रुटिपूर्ण जन्म दिनांक 16.06.2006 को सही जन्मदिनांक 22. 08.2007 से संशोधन करने का आदेश पारित करने की प्रार्थना है।

7.2 यहकि, याचिकाकर्ता को प्रकरण की परिस्थितियों को देखते हुए माननीय न्यायालय जो उचित समझे न्यायहित में अन्य माफिक सहायता दिलाई जाने की प्रार्थना है।

2. The petitioner has approached this court for a direction to the respondent No.1/Board to carry out requisite correction regarding his date of birth in his mark-sheet of Class-10th (Annexure P/4). The case of the



petitioner is that, as per the Birth Certificate (Annexure P/8), his date of birth is 22.08.2007. However, due to an inadvertent error, his date of birth has been incorrectly recorded as 16.06.2006 in the mark-sheet of Class X. It is submitted that the petitioner has consistently been recorded with the correct date of birth, i.e., 22.08.2007, in her educational records prior to the issuance of the Class X mark-sheet. In this regard, reliance is placed upon the mark-sheet of Class VIII (Annexure P/6) and the mark-sheet of Class IX (Annexure P/5), both of which correctly mention the petitioner's date of birth as 22.08.2007. Upon discovering the aforesaid discrepancy, the petitioner submitted an application dated 01.07.2025 before the respondent/Board seeking correction of his date of birth in the Class X mark-sheet. However, the respondent/Board, vide communication dated 27.10.2025, rejected the petitioner's request solely on the ground that, in terms of Order dated 14.01.2015, applications for correction of date of birth can be considered only within a period of three years from the date of declaration of the examination result, and that applications submitted beyond the said period are barred by limitation. The communication dated 27.10.2025, in substance, states that since the petitioner had appeared in the High School Examination, 2022, and the application for correction was submitted beyond the prescribed period of three years, the case was treated as time-barred and, therefore, correction of the date of birth was not possible.

3. Learned counsel for the petitioner placed reliance on a decision of this Court in the matter of Isha Mongia Vs. Central Board of Secondary Education to contend that on account of any inadvertent mistake, the student



should not suffer for any wrong entry made in the mark-sheet and accordingly, the petition was entertained directing the Board to issue the mark sheet of Class 10th and 12th examination mentioning the correct name of the father of petitioner in that case.

4. Learned counsel for the respondent/Board, however, submits that as per Clause (ii) the order of the respondent/Board dated 14.01.2015, an application for correction of the date of birth can be considered only when the same is submitted within a period of three years from the date of declaration of the result of the concerned examination. He placed reliance on a decision of this Court in the matter of Babulal Singh Vs. State of M.P. to contend that the date of birth mentioned by the petitioner at the time of entry into service cannot be allowed to be changed.

5. Having heard learned counsel for the parties and perused the record, this Court finds that the issue relating to entry of date of birth in the school register for the first time is governed by the Madhya Pradesh Date of Birth (Entries in the School Register) Rules, 1973 (hereinafter referred to as "the Rules of 1973"). Rule 3 of the Rules of 1973 requires the parent or guardian to declare the date of birth of the child at the time of first admission in a recognized school. Rule 4 stipulates that the date of birth so declared shall be entered in the school register under the signature of the Head of the Institution. Rule 6 prohibits any change or alteration in the recorded date of birth without the sanction of the competent authority. Rule 7 deals with rectification of mistakes, whereas Rule 8 pertains to correction or change in the date of birth. A conjoint reading of the aforesaid provisions suggests that



no application for correction of date of birth recorded in the school records shall ordinarily be entertained under Rules 7 and 8 after the examination form for the secondary level Board examination has been forwarded to the Board or after the student has left the school.

6. In the present case, however, the petitioner's case stands on a different footing. The material available on record reveals that the date of birth of the petitioner was correctly recorded as 22.08.2007 at the time of his first admission in the school. The Birth Certificate (Annexure P/8), as well as the mark-sheets of Class VIII (Annexure P/6) and Class IX (Annexure P/5), consistently reflect the petitioner's date of birth as 22.08.2007. It is only in the mark-sheet of Class X that the petitioner's date of birth has been incorrectly mentioned as 16.06.2006 due to an apparent inadvertent error. Thus, the present case does not involve any request for change or alteration of the date of birth originally entered in the school records. Rather, it concerns correction of an apparent clerical or inadvertent error that has crept into the Class X mark-sheet despite the existence of consistent and contemporaneous records showing the correct date of birth.

7. The petitioner, upon discovering the discrepancy, submitted an application dated 01.07.2025 before the respondent/Board seeking correction of the error. However, the respondent/Board rejected the said application vide communication dated 27.10.2025 solely on the ground that the application had been filed beyond the period of three years prescribed under order dated 14.01.2015. In the considered opinion of this Court, the respondent/Board has adopted an unduly technical approach. The limitation



prescribed under the aforesaid Permanent Order cannot defeat a legitimate claim founded upon unimpeachable documentary evidence, particularly when the petitioner seeks correction of a manifest error and not alteration of the date of birth originally recorded in the school register. The object of maintaining educational records is to preserve accurate particulars of a student. The Board, being a public authority, is expected to ensure that its records reflect the true and correct particulars of the candidate.

8. Hence, the instant writ petition is allowed. The respondent/ Board is directed to consider the application of the petitioner on merits and issue fresh mark sheet to the petitioner mentioning her correct date of birth within a period of six weeks from the date of receipt of certified copy of this order.

(MILIND RAMESH PHADKE)
JUDGE

(aspr)