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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2695/2026**

AYUSH VERMA

.....Petitioner

Through: Mr. Sanjay Rastogi, Mr. Aman
Rastogi and Mr. Udit Singh,
Advocates

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Ms. Harita Mehta, Advocate for
MCD.
Ms. Radhika Bishwajit Dubey, CGSC
with Ms. Gurleen Kaur Waraich, Mr.
Kritarth Upadhyay, Mr. Vivek
Sharma, Mr. Amulya Dev Mishra,
Mr. Saksham Sharma and Mr. Aayush
Dogra, Advocates for R-2 and R-3

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER
29.07.2026**

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1. The present writ petition has been filed seeking the following reliefs:



- i). Issue a Writ of Mandamus or any other appropriate Writ/Order/Direction under Article 226 of the Constitution of India, directing Respondent No. 1 to revoke/cancel the incorrect birth certificate bearing no.369989 dated 21.04.1998 containing date of birth as 12.04.1998 bearing old Registration No. 1392; and/or
- ii). Issue a Writ of Mandamus or any other appropriate Writ/Order/Direction under Article 226 of the Constitution of India, directing Respondent Nos. 2 and 3 to reopen, reissue and expedite the process for application of Petitioner's passport with correct date of birth as 12.04.1997; and/or
- iii). Pass any order(s) or direction(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in favour of the Petitioner and against the Respondents.

2. It is contended on behalf of the petitioner that a birth certificate was issued to the petitioner on 21st April, 1998 showing his date of birth incorrectly as 12th April, 1998. The actual date of birth of the petitioner is 12th April, 1997.

3. On the basis of the incorrect birth certificate showing his date of birth as 12th April, 1998 (*Annexure P-1 to the writ petition*) the petitioner applied for his passport, which was issued to him bearing the date of birth as 12th April, 1998 (*Annexure P-2 to the writ petition*). It is stated that all other official documents issued to the petitioner including CBSE certificate (*Annexure P-4 to the writ petition*) as well as Aadhaar Card (*Annexure P-3 to the writ petition*) and Pan Card (*Annexure P-9 to the writ petition*) record the date of birth of the petitioner as 12th April, 1997.



4. The petitioner noted this discrepancy in the old passport when the petitioner applied for the renewal of the passport on 12th March, 2024. Accordingly, the petitioner applied to the respondent no.1/MCD for correction of the erroneous birth certificate and pursuant to the same, MCD issued a fresh birth certificate dated 12th March, 2024 recording his date of birth as 12th April, 1997 (*Annexure P-10 to the writ petition*).
5. On the basis of the said revised birth certificate, the petitioner applied for reissuance of his passport which was rejected on the ground of discrepancy in the date of birth as well as place of birth.
6. The status report has been handed over in Court on behalf of respondent no.1/MCD and the same is taken on record.
7. It is stated in the said status report that birth certificate bearing registration no.1392 with the date of birth as 12th April, 1997 is in respect of the child with father's name as Brijesh Kumar, mother's name as Sneha Lata and the place of birth as GTB Hospital. It is further stated that there are no details available in respect of the date of birth of 12th April, 1998. It is also stated that the incorrect birth certificate showing the date of birth as 12th April, 1998 (*Annexure P-1 to the writ petition*) does not exist in the birth register of the GTB Hospital for the year 1998.
8. It is clear from the above that there is a discrepancy between the dates of birth mentioned in the two birth certificates issued by the respondent no.1/MCD i.e., *Annexure P-1 and P-10*. To be noted, the two birth certificates contain the same registration no.1392.
9. The respondent no.1/MCD in its status report has admitted that correct date of birth is 12th April, 1997 as recorded in birth certificate issued on 12th March, 2024 (*Annexure P-10 to the writ petition*). The same is



backed by the records of the MCD filed as *Annexure R-1* to the status report. There is no dispute that the particulars given on the said certificate are in respect of the petitioner.

10. To be noted, the birth certificate having the date of birth as 12th April, 1998 (*Annexure P-1 to the writ petition*) is a handwritten document and it appears that the discrepancy is on account of a clerical error.

11. Clearly, there cannot be two birth certificates in respect of the same person showing different dates of birth. Consequently, a direction is issued to the respondent no.1/MCD to cancel the birth certificate bearing no.369989 (*Annexure P-1 to the writ petition*) having the date of birth as 12th April, 1998.

12. Thereupon, the respondent no.2/Regional Passport Office shall consider the request of the petitioner for issuance of the passport based on the birth certificate showing date of birth as 12th April, 1997 (*Annexure P-10 to the writ petition*) in an expeditious manner.

13. The writ petition is disposed of in the aforesaid terms.

AMIT BANSAL, J

JULY 29, 2026
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