

GAHC010044132025



2026:GAU-AS:46

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1287/2025

ZAKIR UDDIN CHOUDHURY
S/O- LATE ABDUL NOOR CHOUDHURY, R/O- VILL- NILBAGAN, P.O-
NILBAGAN, PS MURAJHAR, DIST- HOJAI, ASSAM, PIN- 782445.

VERSUS

THE UNION OF INDIA AND 3 ORS.
TO BE REPRESENTED BY THE SECRETARY, MINISTRY OF EXTERNAL
AFFAIRS, GOVERNMENT OF INDIA, NEW DELHI-110001.

2:THE CENTRAL PASSPORT ORGANISATION
REPRESENTED BY THE CENTRAL PASSPORT OFFICER
PSP DIVISION
MINISTRY OF EXTERNAL AFFAIRS
GOVERNMENT OF INDIA
PATIALA HOUSE
TILAK MARG
NEW DELHI-110001.

3:THE REGIONAL PASSPORT OFFICER
GUWAHATI
RANI BAGAN
BASISTHA ROAD
3RD BY-LANE
GUWAHATI
ASSAM- 781028.

4:THE DISTRICT COMMISSIONER
HOJAI
ASSAM
PIN-782442

Advocate for the Petitioner : MR. M H LASKAR, MR M A BARBHUIYA,M. HOSSAIN,MR. S
ROY

Advocate for the Respondent : DY.S.G.I., MR. R K D CHOUDHURY (DEPUTY SOLICITOR GENERAL OF INDIA),GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 05-01-2026

Heard Mr. M. H. Laskar, learned counsel for the petitioner. Also heard Mr. R. K. D. Choudhury, learned DySGI for the respondent Nos. 1, 2 & 3 and Mr. K. Gogoi, learned Additional Senior Government Advocate for the respondent No. 4.

2. By filing this writ petition, the petitioner has sought for a direction to the respondent authorities to issue a fresh/renewed passport, correcting his date of birth from 14.09.1961 to 10.08.1972.

3. The petitioner, who claims to be a businessman by profession, was issued a Passport bearing No. Y3257167 on 06.06.2024, with his date of birth recorded as 14.09.1961.

4. It is the contention of the petitioner that the respondent authorities, while issuing the said passport, wrongly mentioned his date of birth as 14.09.1961, inasmuch as the actual date of birth of the petitioner is 10.08.1972, which is supported by the Birth Certificate, School Transfer Certificate and other certificates. Therefore, the petitioner, having found that his date of birth was wrongly recorded, submitted a representation before the Regional Passport Officer, Regional Passport Office, Guwahati, on 01.02.2025, requesting the correction of his date of birth from 14.09.1961 to 10.08.1972.

5. Mr. M. H. Laskar, learned counsel for the petitioner, submits that the writ petition may be disposed of with a direction to the respondent authorities to consider and dispose of the representation submitted by the petitioner on 01.02.2025.

6. Mr. R. K. D. Choudhury, learned DySGI and Mr. K. Gogoi, learned Additional Senior Government Advocate for the respondents, on instructions, have submitted that the petitioner has already travelled abroad using the said passport, which contains the recorded date of birth. The rules require that any request for a change of the wrongly mentioned date of birth must be made within a specified period of time. The certificates annexed to the writ petition appear to have been issued well beyond the period prescribed by the rules. Moreover, there is an adverse police report against the petitioner. However, the learned counsel for the respondents fairly submits that they would not object if the representation of the petitioner, dated 01.02.2025, is directed to be considered and disposed of in accordance with law.

7. Having considered that the petitioner was issued a passport recording his date of birth as 14.09.1961, pursuant to which he appears to have travelled abroad without any complaint and also considering that the certificates placed on record appear to have been obtained recently as well as that the relevant rules prescribe a specific time frame within which an application for the correction of a wrongly recorded date of birth must be made, I am of the considered view that the case of the petitioner may not be deserved any consideration. However, as agreed to by the learned counsels for the parties that the respondent authorities are also duty-bound to consider the representation of the petitioner in accordance with

law, which has admittedly not been disposed of as on today, it would be appropriate to dispose of this writ petition with a direction to the respondent authorities to consider and dispose of the representation dated 01.02.2025, submitted by the petitioner in accordance with law. Accordingly, the respondent authorities, more particularly, the Regional Passport Officer, Regional Passport Office, Guwahati, is directed to consider and dispose of the representation dated 01.02.2025 submitted by the petitioner within a period of 3 (three) months from today.

8. The writ petition stands disposed of.

JUDGE

Comparing Assistant