

S.No. 92

Regular List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

RSA 14/2024 CM(4279/2024)

J AND K BOARD OF SCHOOL EDUCATION AND ...Petitioner(s)/Appellant(s)
ORS.

Through: Mr. M.I. Dar, Advocate with
Mr. Ruhaani Ahmad Baba & Ms. Laila Khan, Advocates

Vs.

SYED WAJAHAT AMIN SHAH

...Respondent(s)

Through: None

CORAM:HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

22-04-2025

1. The appellants are aggrieved of a judgement dated 03.03.2022 passed by the City Judge (Sub-Judge) Srinagar in a civil suit filed by the respondent which resulted in decreeing of the suit declaring the date of birth of the respondent as 23rd December, 1967 and the appellants as being defendants directed to issue matriculation certificate in favour of the respondent containing the date of birth of the respondent as 23rd December 1967.
2. The respondent's date of birth, as claimed by the appellants, originally recorded in J&K BOSE record is dated 24th December, 1965.
3. The civil 1st appeal preferred by the appellants before the court of 4th Additional District Judge, Srinagar

resulted in dismissal which has led to the institution of the present civil 2nd appeal.

4. There are four substantial questions of law involved in the matter as proposed by the appellants in their memo of appeal which need to be looked into by sending for the record of the trial court as well as the appellate court file.
5. Therefore, send for the record of civil suit **file No. 3040/2013** with date of institution as 07.08.2002 and the date of judgement is 03.03.2022 from the court of City Judge (Sub-Judge) titled “Syed Wajahat Amin Shah vs. The Chairman J&K Board of School Education, Srinagar and Ors” and also the record of **file No. 32/Appeal** disposed of on 02.04.2024 titled “J&K Board of School Education through its Chairman and Ors. vs. Syed Wajahat Amin Shah” from the court of the 4th Additional District Judge, Srinagar.
6. List on 27th May, 2025.
7. In the meantime, operation of impugned judgement and decree dated 03.03.2022 passed by the City Judge (Sub-Judge) Srinagar shall remain stayed.

(RAHUL BHARTI)
JUDGE