



Serial No. 01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No. 67 of 2025

Date of order: 13.02.2026

Smti Martinewbell Suchiang

....Appellant

- versus -

1. State of Meghalaya, represented by the Chief Secretary.
2. The Education Department, Government of Meghalaya, represented by the Special Officer.
3. The Treasury officer, Treasury Office, West Jaintia Hills District, Meghalaya.
4. Directorate of School Education Literacy, represented by its Director.
5. The Sub-Divisional School Education Officer, West Jaintia Hills District.
6. The Headmaster, Shangpung Neinshnong Lower Primary School.
7. The School Managing Committee, Shangpung Neinshnong Lower Primary School.

...Respondents

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

**Appearance:**

For the Appellant : Mr S.R. Lyngdoh, Adv. with
Ms C.L. Mawphlang, Adv.
Mr T. Islam, Adv.

For the Respondents : Mr N.D. Chullai, AAG with
Mrs I. Lyngwa, GA

JUDGMENT: (per the Hon'ble, the Chief Justice)

Heard learned counsel for the appellant and learned Additional Advocate General for the respondents.

2. By this appeal, the appellant has impugned the judgment and order dated **3rd July, 2025**, passed by the learned Single Judge in WP(C) No. 46 of 2025. By the said impugned order, the learned Single Judge dismissed the appellant's writ petition that sought correction of the entry of the year of birth of the appellant, in accordance with the school leaving certificate.

3. Learned counsel for the appellant submitted as under;

(i) that the school leaving certificate dated **23rd April, 1987** submitted to the respondents at the time of joining was tampered with, showing her date of birth as **26th August, 1966** in place of **26th August, 1967**;



(ii) that in order to substantiate her case, the appellant produced a duplicate matriculation admit card, which reiterated her date of birth as **26th August, 1967**;

(iii) that the appellant was never afforded an opportunity to defend her case, nor was she informed of the change of the date of birth nor was any action taken on the allegation of tampering;

(iv) that the appellant learnt of the incorrect date of birth, i.e., change in the year from 1967 to 1966, in the school leaving certificate only in November, 2019, after which she approached the Court, for correction of the same.

4. Learned Additional Advocate General opposed the appeal. He submitted that no interference was warranted in the impugned judgment and order passed by the learned Single Judge. Learned Additional Advocate General has filed an affidavit of the Director of School Education & Literacy, Meghalaya, Shillong, placing on record some documents to show that despite the service records from 1987, showing the appellant's date of birth as **26th August, 1966**, no steps were



taken by the appellant to have the same changed. He further submitted that even after the appellant learnt in November, 2019, of an alleged incorrect entry with respect to her date of birth, she approached the Court only in 2025, and as such, solely on the ground of delay and laches, the petition ought not to be entertained.

5. To the affidavit filed by the respondents, the service record of the appellant has been annexed to show the date of birth of the appellant as 26th August, 1966. The original service record of the appellant was also placed before us for our perusal.

6. The brief facts giving rise to the filing of the appeal are as under:

The appellant was appointed as the Lower Primary School Teacher on **28th September, 1987** at Shangpung Pohshnong Lower Primary School; that the appellant joined the service on **29th September, 1987** and was transferred to Shangpung Neinshnong Lower Primary School, in the same post where she



continued, till her superannuation. The appellant superannuated on **31st August, 2024**.

7. The question that arises for consideration in the aforesaid appeal is whether any correction is warranted in the entry of the service record with respect to the year of birth of the appellant and consequently, whether any interference is warranted in the impugned judgment and order passed by the learned Single Judge?

8. At the outset, we may note that the law regarding the change of date of birth in service records at the ‘fag end’ of the career is well-settled by the Supreme Court. Courts adhere to the principle of “delay and latches” meaning an employee cannot sleep on his/her rights for decades and request a correction just before retirement. In fact, in ***Bharat Coking Coal Limited v. Shyam Kishore Singh*** reported in **(2020) 3 SCC 411**, the Apex Court held that the material which the petitioner seeks to rely upon ought to have been produced at the time of joining employment, and that a request for change of date of birth at



the fag end cannot be sustained, even if good evidence is available to establish that date of birth is erroneous.

9. As noted aforesaid, the appellant superannuated on 31st August, 2024. We have perused the original record and the documents annexed to the affidavit filed by the respondent No. 4, and having perused the same, we find that in the service book, the date of birth of the appellant is shown as **26th August, 1966**. On the very same page, on which the date of birth is mentioned, the said page is signed by the appellant in 1987, when she joined the service. The service book also shows that the appellant has affixed her signature on other pages, acknowledging receipt of revised scale of pay from the year 1987 until 2022. Even the ***‘Proforma for Employee Details’*** dated **1st August, 2011**, shows the date of birth of the appellant as 26th August, 1966. The said document also bears the signature of the appellant.

10. It is not in dispute that the appellant had not raised any question or objection with respect to the aforesaid entries till the time she became due for superannuation. It is also pertinent to



note, that in the ‘statement of account’ given to the appellant from the office of the Principal Accountant General (A&E) Meghalaya, Shillong, the appellant’s date of birth is shown as 26th August, 1966. In addition to the aforesaid, in one of the documents annexed to the affidavit issued by the In-Charge, Sub-Divisional School Education Officer, Jowai dated **17th January, 2024**, against the name of the appellant, her date of retirement is mentioned as **31st August, 2024**.

11. According to the appellant, it is only in the month of November, 2019 when she inspected her service record that she learnt that her year of birth was allegedly tampered in the school leaving certificate from 1967 to 1966.

12. Although, learned counsel for the appellant relies on the school leaving certificate and the admit card showing the appellant’s year of birth as 1967, the aforesaid documents relied upon by the learned Additional Advocate General show that the year of birth of the appellant in her service record as 1966 and not 1967. In fact, according to the appellant, she learnt of the



wrong entry of the year of birth in November, 2019, however, the appellant filed a writ petition before the learned Single Judge of this Court only in 2025 i.e., after her superannuation on 31st August, 2024. It is well settled that correction of the entry of the date of birth cannot be permitted at the fag end of the service career, even if there is some material which can be taken into account.

13. It is also pertinent to note that SR 8 of the FR & SR Rules of Meghalaya provides, that no alteration in the date of birth of a government servant should be allowed except in very rare cases.

14. As it is evident from the facts and documents as revealed aforesaid, the appellant had the opportunity to correct the mistake at the earliest, during the course of her service/ re-attestation of the entries in her service book (the service book of the appellant records the date of birth of the appellant as **26th August, 1966**), however, she failed to bring the same, to the



notice of the authorities. On this very ground of ‘delay and latches’, the prayer of the appellant cannot be granted.

15. Considering the aforesaid, we do not find any merit warranting interference in the impugned order dismissing the appellant’s writ petition, seeking correction of the entry of the year of birth of the appellant, in her service record.

16. The appeal is accordingly dismissed.

17. At this stage, learned counsel for the appellant informs us that the appellant’s pension has not been paid by the respondent authorities since 2024. If the same is true, the respondent authorities to release the appellant’s pension forthwith and in any event, within four weeks from today.

18. Appeal stands disposed of, accordingly.

(W. Diengdoh)
Judge

(Revati Mohite Dere)
Chief Justice