



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5103 of 2026

Gandharba Naik

....

Petitioner

Ms. S. Das, Adv.

-versus-

**State of Odisha &
Others**

....

Opp. Parties

Mr. S.P. Das, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

**Order
No**

**ORDER
17.03.2026**

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Parties.
3. Petitioner has filed the present Writ Petition with the following prayer:-

“It is therefore humbly prayed that, considering the grounds stated above, Your Lordship may graciously be pleased to admit this case and issue notice to opposite Parties to file show cause as to why the wrong recording of the date of birth of the petitioner as on 05.05.1970 instead of 04 .03.1966 in the service record and EPF Account shall not be corrected.

And/or further pass an order directing the opposite. Party No. 2 for considering the prayer of the petitioner in connection with correction of the date of birth of the petitioner as per Aadhaar Card and Birth Certificate, which has been wrongly recorded in the service record as 04.03.1966 instead of 05.05.1970.”



4. It is contended that prayer of the petitioner for correction of his date of birth has been illegally rejected vide the impugned communication dated 16.12.2025, so issued by the Bhubaneswar Municipal Corporation under Annexure-2 series.

4.1. It is also contended that since petitioner is going to attain the age of superannuation as per the recorded date of birth on 31.03.2026, appropriate order be passed in protecting the interest.

5. Having heard learned counsel appearing for the petitioner, this Court finds that such a prayer for correction of the date of birth has been made at the flag-end of the career of the petitioner and in view of the decisions governing the field, such a prayer cannot be entertained by a Writ Court.

5.1. Therefore, this Court is not inclined to interfere with the impugned communication issued on 16.12.2025. It is open for the petitioner to approach the appropriate forum for consideration of his grievance with regard to correction of the date of birth.

6. With the aforesaid liberty, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Signature Not Verified

Digitally Signed
Signed by: BASUDEV SWAIN
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Mar-2026 15:57:37

