

GAHC010243002017



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

Case No. : WP(C)/6698/2017

TARULATA DAS
W/O. LT. RAMESH CHANDRA DAS, R/O. DAKHIN GAON NEAR L.P.
SCHOOL, SONAIGHULI, NEAR DAKHIN GAON L.P. SCHOOL, P.O.
SAUKUCHI, P.S. ODALBAKRA, GUWAHATI, DIST. KAMRUP M, ASSAM-
781018.

VERSUS

1: THE STATE OF ASSAM THROUGH THE COMM. and SECY. TO THE GOVT.
OF ASSAM, HEALTH and FAMILY WELFARE DEPTT., DISPUR, GHY.-06.

2: THE DIRECTOR HEALTH and FAMILY WELFARE DEPTT.
GUWAHATI ASSAM.

3: THE SUPERINTENDENT, L.G.B. and CHEST HOSPITAL
GUWAHATI DIST. KAMRUP M ASSAM-781016

Advocate for the Petitioner : MR.S A B KHABIR

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 08-01-2024

None appears for the petitioner on call. However, Mr. D.P. Borah, learned standing counsel, Health Department, is present.

The petitioner, by way of instituting the present proceeding, has raised a grievance with regard to a communication dated 27.07.2017 issued to her by

the Superintendent of LGB Chest Hospital, Guwahati requiring her to retire from her services as a Ward Girl in LGB Chest Hospital, Guwahati w.e.f. 31.12.2017.

It is the contention of the petitioner that the said notice is not sustainable inasmuch as she, in terms of the Voter ID Card issued by the Election Commission of India, has only attained the age of around 54 years as of 2017 inasmuch as of 2013 in her Voter ID Card, she has been denoted to be of around 50 years of age.

The said projection of the petitioner in the writ petition when considered with the statement made by her in Paragraph 3, wherein she has categorically stated that the date of birth recorded in her Service Book is 01.01.1958, the petitioner cannot now pray for a rectification of the date of birth recorded in her Service Book basing on the Voter ID Card inasmuch as the date of birth/age as recorded in the Voter ID Card is so recorded on the basis of the self declaration made by the petitioner and the same would not afford a ground to the petitioner to seek an alteration of her date of birth as recorded in the Service Book. The petitioner having not disputed the date as recorded in her Service Book, which, she, at the time of entry into services has also signed, the prayer made in the writ petition does not merit consideration.

Accordingly, for the reasons stated above, the writ petition stands dismissed. There will be no order as to cost.

JUDGE