

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1178 of 2015**

Manbodh Baghel S/o Late Shri Sitaram Baghel, Aged about 54 years, Post-Mate, Public Works Department (Building/Road) Presently posted at PWD Sub Division No. 1, Gariyaband, District Gariyaband, Chhattisgarh R/o Dak Bungalow Colony, Gariyaband, District Gariyaband, Chhattisgarh.

---- **Petitioner****Versus**

1. State of Chhattisgarh, Through the Secretary, Public Works Department, Ministry, Mahanadi Bhavan, New Raipur, District Raipur, Chhattisgarh.
2. The Executive Engineer, PWD Division Gariyaband, District Gariyaband Chhattisgarh
3. The Sub Divisional Officer, Sub Division No. 1, Gariyaband, District Gariyaband Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Alok Dewangan, Advocate.
For Respondents/State	:	Shri UNS Deo, Government Advocate.

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****31/08/2015**

1. Heard Learned Counsel for the parties.
2. Learned Counsel for the Petitioner submits that the Petitioner was appointed in 1978. His date of birth was wrongly recorded as 16.7.1953 instead of 15.4.1961. On 3.3.2015, he was made aware for the first time that his date of birth was wrongly recorded when he was served with a communication that he would be superannuating on 31.7.2015. To the best of the knowledge of the Petitioner, his date of birth is 15.4.1961. The Petitioner represented for the purpose on 23.1.2015 also which has not been considered.

3. Learned Counsel for the State submits that the service book of the Petitioner mentions his date of birth as 16.7.1953 duly signed by him also. It is settled law that belated claims for correction of date of birth at the fag end of the career raising disputed questions of fact cannot be entertained.

4. The Court finds no merit in this writ application as the plea for correction of date of birth is not only highly belated virtually at the time of superannuation, but is also not supported by any tangible documentary evidence how a wrong entry came to be made in the service book on ly when Rule 84 of the Financial Code Vol. I, may have had application for further enquiry.

5. The writ application is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE