

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2231 of 2009**

Ram Narayan Chaturvedi S/o Late Shri Mathura Prasad Chaturvedi, aged about 59 years, Posted as Mechanical Fitter, Grade A in Chirmiri Open Cast Project SECL Chirmiri, District Korea, Chhattisgarh.

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

1. South Eastern Coalfields Limited, Through: Chairman-cum-Managing Director, Seepat Road, Bilaspur, Chhattisgarh.
2. The Superintendent of Mines-Manager, Chirmiri Open Cast Mines, Chirmiri, District Korea, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Bhaskar Payasi, Advocate.
For Respondents/SECL	:	Shri H.B.Agrawal, Senior Advocate with Shri Ravindra Agrawal, Advocate.

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

1. Learned Counsel for the Petitioner submits that the Petitioner was appointed on 10.6.1974. His date of birth was wrongly recorded as 3.4.1949 instead of 3.4.1950 at the time of appointment. The Petitioner moved for correction of his date of birth on 15.3.2008. No action was taken and on 19.9.2008, he was informed that he would superannuate on 30.4.2009.

2. Learned Senior Counsel for the Respondent-SECL submits that the writ application was filed just before superannuation on 28.4.2009. Strong reliance is placed on the fact that his date of birth was recorded in the statutory "Form-B" register and also in other necessary forms with regard to particulars of his family in Form PS-III and nomination form PS-IV, all of which mentions his date of birth as 3.4.1949. Reliance is further placed on the order in Writ Appeal No. 399 of 2014 (South Eastern Coalfields Ltd. v. Sampat Kumar Chauhan) with regard to finality of the date of birth contained in the Form-B register as also the same date of birth mentioned in the other forms, the Special Leave

Petition against which was dismissed (Special Leave Petition (Civil) No. 19199 of 2015, dated 20.7.2015).

3. Considering the settled judicial view that belated claims for correction of date of birth are not to be entertained at the fag end of the service career and the finality to entries in the statutory Form-B register as noticed in Writ Appeal No. 399 of 2014 (supra) relying on (2005) 11 SCC 477 (State of Uttaranchal v. Pitambar Dutt Semwal), this Court is not persuaded to entertain this writ application.

4. The writ application is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE