

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3258 of 2013**

Helaru S/o Futtu aged about 54 years, Occupation - Senior Dozer Operator Group A, R/o Bhatgaon Colliery, Killen Ward, No. 8, Tahsil Bhatgaon, District Surguja, Chhattisgarh.

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

1. South Eastern Coalfields Ltd. Through Chairman-cum-Managing South Eastern Coalfields Ltd. Seepat Road, Basant Vihar, Bilaspur, Chhattisgarh.
2. The Chief General Manager, Bhatgaon Area SECL District Surguja, Chhattisgarh.
3. The Personnel Manager, Dugga OCM Bhatgaon Area, District Surguja, Chhattisgarh.
4. The Sub Area Manager, Dugga Sub Area Manager, Bhatgaon, District Surguja, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Ashok Shukla, Advocate.
For Respondents/SECL	:	Shri Sudhir Bajpai, 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, an employee of the Respondent-SECL seeks correction of his date of birth from 21.2.1949 to 10.3.1957 and is aggrieved by determination of his age as also done by the Age Determination Committee under Implementation Instruction No. 76.
3. Learned Counsel for the Respondent-SECL submits that the date of birth of the Petitioner was recorded in the Form-B register signed by him. Being a statutory register, the entries take precedence for their correctness. The Age Determination Committee having considered the issue for fixation of

age of the Petitioner pursuant to his grievance, there is no merit in the writ application. He relies on orders of this Court in Writ Appeal No. 399 of 2014 (South Eastern Coalfields Ltd. v. Sampat Kumar Chauhan) dated 27.2.2015 relying on (2005) 11 SCC 477 (State of Uttaranchal v. Pitamber Dutt Semwal) and Writ Appeal No. 84 of 2014 (Amarjeet Singh v. SECL, through its CMD) the Special Leave Petitions against which have been dismissed on 20.7.2015 and 14.5.2015, respectively, registered as Special Leave Petition (Civil) No. 19199 of 2015 and Special Leave Petition (Civil) No. 14686 of 2015, respectively.

4. In both the aforesaid appeals, this Court held that entries in the statutory Form-B register will have to be given precedence and finality in the writ jurisdiction relying on Pitamber Dutt Semwal (supra). On the latter issue, reliance was placed on (2000) 8 SCC 696 (General Manager, Bharat Coking Coal Ltd. West Bengal v. Shib Kumar Dushad) that the Court could not sit as an appellate authority over the determination of the Age Determination Committee.

5. There is no merit in the writ application. It is accordingly dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE