

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1130 of 2013

Heeralal, S/o Sukhal, Aged
about 50 years, Occupation-
Retired Tildal Worker (SECL),
R/o. Bhatgaon Area, 3-4 Sub
Station, P.S. & Post - Bhatgaon,
Tahsil, Bishrampur, District
Surajpur (C.G.)

---- Petitioner

Versus

1. South Eastern Coal Fields
Limited Through The Chairman-
Cum-Managing Director, Seepat
Road, Basant Vihar, Bilaspur,
Distt Bilaspur (C.G.)
2. The Chief General Manager
SECL, Bhatgaon Sub Area,
Tahsil Bishrampur, Distt Surajpur,
(C.G.)
3. The Personnel Manager SECL,
Bhatgaon, Sub Area, Tahsil
Bishrampur, Distt Surajpur (C.G.)
4. The Sub Area Manager, SECL
Bhatgaon, Sub Area, Tahsil
Bishrampur, Distt Surajpur (C.G.)

---- Respondents

For Petitioner	:-	Shri Ashok Shukla, Advocate
For Respondents	:-	Shri Sudeep Agrawal, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19/03/2015

1. The petitioner through the instant writ petition, has raised the dispute that he has been prematurely retired by the respondents and that his date of birth has wrongly been recorded by the respondents in the service book as 16.01.1963 and in the service record, his date of birth has been shown to be 16.01.1953 as such there is difference of about 10 years time which the petitioner has put to challenge as he is prematurely retired from the service.
2. Notices in this case had been issued to the respondents as early as on 22.04.2013 and now more than 2 years of time has passed and

the respondents have not filed their reply.

2. Counsel for the respondents at this juncture submits that without entering into the merits of the case the writ petition may be disposed of with a direction to the respondents to constitute the Age Determination Committee wherein the case of the petitioner may be examined by the Age Determination Committee in accordance with the guidelines of implementation instruction No. 76 and also keeping in view the letter issued by the Personnel Manager, SECL, Bhatgaon, Sub Area, dated 28.07.2012 (Annexure P/4).

4. Counsel for the petitioner accepted the submission made by the counsel for the respondent and accordingly at the request of counsel for the parties, the instant writ petition is disposed off with a direction to the respondents that the case of the petitioner be referred to the Age Determination Committee who in turn shall decide the case of the petitioner as to what is his actual age.

5. Needless to mention, that the out come of the Age Determination Committee shall determine the further claim of the petitioner and it is expected that the case of the petitioner shall be decided as early as possible preferably within three months.

6. Accordingly the writ petition stands disposed off.

J U D G E