

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.16891 of 2015

ORDER:

Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for respondents 1 to 3 and learned Government Pleader for Mines and Geology appearing for respondent No.4.

The petitioner joined in the respondent-company as worker (trainee) on 27.03.1978. Thereafter, he was promoted as Shot Firer, Mining Sirdar, Overman, and Head Overman. In all the school records, his date of birth was mentioned as 11.10.1959. But the respondent authorities wrongly mentioned his date of birth as 30.01.1955. When the respondent authorities failed to rectify the said mistake, the petitioner approached this Court by filing W.P.39425 of 2012. This Court *vide* order dated 28.01.2015 in W.P.M.P.No.50072 of 2012, directed the respondent authorities to continue the petitioner in service till he attains the age of superannuation of 60 years reckoned with reference to 11.10.1959 and as such, the petitioner has been continuing in service.

As per Coal Mines Regulations, 1957 Overman certificate has to be renewed for every five years. The said certificate was issued to the petitioner on 29.01.2001 and thereafter it was renewed from time to time till 25.05.2015. Hence, the petitioner submitted an application dated 12.3.2015 to the 3rd respondent for renewal of the Overman certificate and the same was forwarded to the second respondent, who in turn, forwarded the same to Law Department. Again the petitioner submitted another application before the 2nd respondent and the same was forwarded to the personnel department.

The grievance of the petitioner is that as per the Coal Mines Regulations, renewal of Overman certificate is mandatory and the respondent authorities are not sending the application for renewal to the 4th respondent.

Considering the facts and circumstances of the case, the respondents 1 to 3 are directed to forward the application of the petitioner to the 4th respondent for renewal of Overman certificate, if the same is not forwarded so far.

Accordingly, the Writ petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous Applications, if any, shall stand closed.

JUSTICE R.KANTHA RAO,J

18th June, 2015

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Note: Issue CC by three days.