

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**128**

**Civil Writ Petition No.8154 of 2015**

**Date of Decision:29.04.2015**

Avtar Singh

....petitioner

Versus

State of Punjab and another

.....respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

**1.Whether Reporters of local papers may be allowed to see the judgement?**

**2. To be referred to the Reporters or not?**

**3. Whether the judgment should be reported in the Digest?**

Present: Mr.Manish Dadwal, Advocate  
for the petitioner

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**ARUN PALLI, J.(ORAL):-**

A writ in the nature of mandamus is prayed for, so as to direct the respondents to consider and decide the claim of the petitioner as regards the rectification of his date of birth in his service records.

It is averred that the petitioner was appointed as Horticulture Inspector on 07.04.1988, the post that was subsequently, re-designated as Horticulture Development Officer. At the time of entry into service, the petitioner had submitted his educational certificates which reflect that his date of birth was 05.05.1961, whereas, the entry as regards his date of birth in the original birth register of Local Registrar, Birth and Deaths in the Department of Health and Family Welfare, Punjab, reveals that the date of birth of the petitioner is 14.02.1962 (Annexure P2). That being so, the petitioner having obtained the certificate

(Annexure P2), represented to Director, Department of Horticulture (respondent No.2), so as to rectify his date of birth from 05.05.1961 to 14.02.1962, vide representation dated 30.12.2013 (Annexure P4). Although, the said representation along with the necessary documents were duly received in the office of respondent No.2, but yet has not been heeded to. So much so, prior to the institution of this petition, petitioner purports to have even served upon the respondents a legal notice dated 27.02.2015 (Annexure P5), but that too has failed to evoke any response.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of with a direction to the respondents, to consider and decide his representation dated 30.12.2013 (Annexure P4) and the legal notice dated 27.02.2015 (Annexure P5), within a specified time.

That being so, and, without expressing any opinion on merits, and, particularly, as regards the issue of delay/limitation, if any, the instant petition is disposed of with a direction to the respondents to consider and decide the claim of the petitioner as set out in his legal notice dated 27.02.2015 (Annexure P5), strictly, in accordance with law, within a period of three months, from the date of receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

29.04.2015

*neenu*

**(ARUN PALLI)**  
**JUDGE**