

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.11961 OF 2016

Ramesh Dipchand Surana

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.A.I.Satpute, advocate for the petitioner

Mr.M.M.Nerlikar, A.G.P. for Respondents No.1 & 3

**CORAM : R.M.BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 07th December, 2016**

PER COURT:

Petitioner is praying for issuance of directions to Respondents to effect correction in the service record of the petitioner to enable him to secure benefits accruable to him on the basis of change in the date of birth effected in the school record.

2 It is not a matter of dispute that the petitioner joined employment in 1984 and has retired on attaining age of superannuation in the year 2016. In accordance with the relevant Rules, request for effecting change in the service record cannot be considered after period of five years from the date of induction in service. In view of settled position of law enumerated in various judgments of the Hon'ble Supreme Court i.e. in the matter of **State of Madhya Pradesh & others Vs. Premlal Shrivastava, (2011) 9 SCC 664**; and **State of Gujarat and others Vs. Vali Mohd. Dosabhai Sindhi, (2006) 6 SCC 537**, request for effecting change in service record cannot be entertained after retirement of an employee. In

exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for.

3 Writ Petition, therefore, stands dismissed.

4 Petitioner makes a grievance that his pensionary benefits are not released as a result of pendency of instant petition. Respondents shall take appropriate steps for releasing pensionary benefits to the petitioner.

(SANGITRAO S. PATIL)

JUDGE

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(R.M.BORDE)

JUDGE