

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3181 OF 2016

[Dayaram s/o Asharam Pawar .vs. Sr. Manager (Pers/Admn), Western Coalfields Ltd., and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.M. Kadukar, counsel for the petitioner.

.....

CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : JUNE 30, 2016.

By this writ petition, the petitioner seeks a direction against the respondents to correct the date of birth of the petitioner in the service record from 4.7.1959 to 2.4.1962. The petitioner has sought a direction restraining the respondents from terminating the services of the petitioner by considering his date of birth to be 4.7.1959.

We are afraid that the relief sought by the petitioner in the instant petition cannot be granted in exercise of the writ jurisdiction as the age row cannot be decided in a writ petition. It would be necessary for the petitioner to seek a reference of the dispute to the Central Government Industrial Tribunal cum Labour Court. It would not be proper for this court to consider what is actual date of birth of the petitioner and issue a direction against the respondents.

In the result, we dismiss the writ petition, with no order as to costs. The points raised in the writ petition are kept open.

JUDGE

JUDGE