

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

CWP No.17388 of 2016 (O&M)

Date of decision:08.09.2016

Balwant Singh

... Petitioner

Vs.

State of Haryana & another

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Ravneet Singh Bains, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The petitioner who was working on the post of Salesman with the Pratham Agriculture Cooperative Society Ltd., Ratia/respondent No.2 under the aegis of Cooperation Department, State of Haryana stands retired w.e.f. 30.08.2016 upon attaining the age of superannuation.

The instant writ petition has been filed seeking issuance of a writ of mandamus for commanding respondent No.2/Society to correct his date of birth and the same to read as 15.09.1960 instead of 10.08.1958. Further prayer is to grant all consequential benefits emanating from such correction.

Counsel for the petitioner has been heard at length and the pleadings on record have been perused.

It has been conceded during the course of arguments that the petitioner had gained entry in service and at that stage for purposes of determination of age, petitioner relied upon a certificate issued by the Punjab School Education Board in which his date of birth had been recorded as 10.08.1958. Such certificate was accepted by the employer at the stage of initial entry into service and it is on the basis thereof that the

petitioner has been retired on 30.08.2016.

The prayer made by the petitioner calling upon the respondent-Society to correct his official record regarding the date of birth of the petitioner and the same to read as 15.09.1960 instead of 10.08.1958 is wholly misconceived. Such a request, if at all, is to be directed before the Punjab School Education Board and as and when such a claim is made, the same would be dealt with by the Board itself in accordance with law.

Respondent No.2/Society would have no jurisdiction whatsoever to entertain such a prayer as regards correction of date of birth.

Counsel during the course of arguments himself has stated that even a suit for declaration has been instituted by the petitioner seeking such change in date of birth.

In view of the facts noticed hereinabove, the prayer made in the instant petition cannot be accepted.

Petition is dismissed.

08.09.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No