

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

LPA No.1579 of 2016 (O&M)

Date of Decision : 30.08.2016

Dhyan Singh

....Appellant

Versus

Presiding Officer, Labour Court-III,
Faridabad and another

....Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN**

Present: Mr. Aman Dhir, Advocate
for the appellant.

MAHESH GROVER, J.

The appellant raised an industrial dispute when he was not permitted to take on his assignment with the employer on the ground that he superannuated which fact was disputed by the appellant to contend that his date of birth was of the year 1957 and not 1953. The Labour Court concluded that the evidence adduced by the appellant in the shape of ESI Card etc. was unreliable and thus discarded the reference which was then questioned by the appellant before the writ court where the appellant in addition to the evidence adduced by him also produced PAN Card and Voter ID Card at the time of filing a review petition after the writ court had dismissed his petition. The review was also dismissed similarly on the ground that these were

not reliable pieces of evidence which could have been considered to determine the age of the appellant.

We would find no reason to differ with the findings of the learned Single Judge as these are not conclusive proof of a person's age. We, therefore, decline interference, particularly when the appeal is also barred by a delay of 277 days.

Dismissed.

(MAHESH GROVER)
JUDGE

30.08.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No