

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No.1730 of 2005**

1. Steel Authority of India Limited Bhilai Steel Plant Through Managing Director, Bhilai Steel Plant, Bhilai (CG)
2. Dy.General Manager, Raw Material Plant-II, Bhilai Steel Plant, Bhilai (CG)

---- Petitioners

Versus

1. Shri Rusu Ram S/o Vasu, Aged-51 Yrs, Qr.No.4/D, Street No.37, Khursipar, Zone-II, Bhilai, Distt. Durg (CG)
2. The President Industrial Court C.G. At Raipur
3. The Presiding Officer, Labour Court, Durg (CG)

---- Respondents

For Petitioners	:	Mr.Ashish Surana, Advocate
For Respondent No.1	:	Mr.Malay Shrivastava, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**02/11/2017

1. This writ petition is directed against the order of the Industrial Court affirming the order of the Labour Court by which the Labour Court has held that date of birth of respondent No.1 is 7.2.1951.
2. Learned counsel for the petitioners would submit that concurrent finding recorded by two Courts holding the date of birth of respondent No.1 is 7.2.1951 is unsustainable and bad in law.
3. On the other hand, learned counsel for respondent No.1 would support the impugned order.
4. I have heard learned counsel for the parties and perused the impugned order.
5. Two Courts below have concurrently held that date of birth of respondent No. is 7.2.1951, which is based on material available on record. I do not find any illegality or perversity in the finding

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recorded by two Courts and also keeping in view the fact that respondent No.1 has already been retired from service in the year 2011 after taking benefit of date of birth as held by the Labour Court during pendency of the writ petition.

- 6.** Accordingly, the writ petition is liable to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-