

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.NO.14049 OF 2017

ORDER

The petitioner was working as Driver in the respondent – Corporation. In this writ petition, he challenges the correction of entry of date of birth in his service record by office order dated 13.02.2017. As per the service record, the date of birth of the petitioner was recorded as 16.5.1964 and by the impugned office order, the same is modified as 1.07.1960.

It is primarily contended by the learned counsel for the petitioner that this correction of date of birth was made unilaterally, without affording the petitioner an opportunity.

On instructions, the learned Standing Counsel for the respondent – Corporation fairly conceded that no prior notice was issued before undertaking the correction of date of birth in the service record of petitioner. He submits that notice would be issued and further steps would be taken in accordance with law.

Having regard to the facts and circumstances, the impugned order is set aside on the ground of violation of principles of natural justice.

However, if the respondent – Corporation intends to undertake the exercise of correcting the date of birth of the petitioner in the service records, they are at liberty to do so, by following the due process and after affording the petitioner an opportunity.

The writ petition is accordingly allowed. No costs.

Miscellaneous petitions pending if any, shall stand closed.

P.NAVEEN RAO,J

DATE:19—04—2017

AVS

