

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43314 of 2017

ORDER:

The petitioner is working as Coal Cutter and his date of birth was recorded as 28 years as on the date of his appointment as Badili Coal Filler on 31.12.1985. Though the respondent-company issued a press note on 04.09.2012 inviting the employees to verify their service records and correct the mistakes as per the Circular, dated 16.08.2012, since the name of the petitioner did not figure in the notice board, he thought that there was no dispute with regard to his date of birth. When an intimation was given on 23.11.2017 stating that the petitioner is going to retire after duty hours of 31.12.2017 on attaining the age of superannuation, the present Writ Petition is filed challenging recording his date of birth as 31.12.1961 instead of recoding his age as 28 years as on 31.12.1985.

2. The request of the petitioner one week before his retirement cannot be entertained, but, he relied upon a common order, dated 31.03.2015, passed by this Court in W.P.No.33343 of 2012 and batch. The said order was passed in a batch of cases taking into consideration the circumstances involved therein. However, based on the said order, several other orders were also passed from time to time.

3. In view of the same, the present Writ Petition is disposed of in accordance with the common order, dated 31.03.2015, in W.P.No.33343 of 2012 and batch, but, however, the observations regarding continuance of service of the petitioner does not apply to

the petitioner and his retirement on 31.12.2017 will be subject to the opinion rendered by the Medical Board, so constituted.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

DECEMBER 20, 2017

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Date: 20.12.2017

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