

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.21419 of 2017(O&M)
Date of Decision: 20.09.2017

Nanak Singh

--Petitioner

Versus

Punjab State Power Corporation Ltd.
and others

--Respondents

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

Present:- Mr. Manish Prabhakar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Petitioner is serving on the post of Assistant Line Man under the Punjab State Power Corporation Ltd. Date of birth of the petitioner as recorded in his service record is 11.4.1959. Petitioner is further stated to be suffering from a permanent physical impairment assessed at 80% (Annexure P-5).

The precise prayer raised in the present petition is for the issuance of a Writ of Mandamus for directing the respondent Corporation to retire the petitioner as per Circular No.11/2015 (Annexure P-2) by taking his date of birth as 11.4.1963. Counsel contends that in view of aforementioned Circular the age of superannuation of a disabled employee would be 60 years instead of 58 years and by taking the date of birth of the petitioner as 11.4.1963 the petitioner would attain the age of superannuation in the year 2023.

The prayer raised in the petition is not well founded.

Concededly, even as of date the year of birth incorporated in the service record of the petitioner is 11.4.1959. Even though, there are averments in the petition that the Corporation had embarked upon an

exercise of an inquiry/verification as regards the correct date of birth of the petitioner, still, no correction in the service record has been made till date.

It goes without saying that the age of superannuation of the petitioner would be determined on the basis of the date of birth as is virtually reflected in the service record of the petitioner. The same, concededly, is 11.4.1959 as of date. Under such circumstances, prayer of the petitioner for directing the respondent authorities to permit the petitioner to serve up to the year 2023, cannot be accepted.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

20.09.2017

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No