

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 2177 of 2016

ORDER:

1) The petitioner is employee of Sngareni Collieries Company Limited and the grievance of the petitioner is that his date of birth was incorrectly entered in the service record and based on the incorrect entries, without appreciating the documentary evidence the respondents are trying to retire the petitioner prematurely. As per the company identity card, the petitioner is entitled to continue in service till he attains the age of superannuation.

2) Learned counsel for the petitioner contended that as per the regulations there is age determination committee with the respondents and the petitioner is requesting the respondents to refer his case to the age determination committee to ascertain the correct age of the petitioner. He further contends that appropriate orders be passed with a direction to the respondents to refer the case of the petitioner to the age determination committee and upon such reference, the age determination committee will adjudicate the case of the petitioner in accordance with law based on the material produced by the petitioner.

3) The learned Standing Counsel appearing for the respondents contended that the case of the petitioner would be considered and the petitioner would be referred to the age determination committee for ascertaining the correct age of the petitioner.

4) Having considered the rival submissions, the writ petition is disposed of directing the respondents to refer the case of the petitioner to the age determination committee for ascertaining the correct age of the petitioner. It is needless to say that the age determination committee shall give an opportunity to the petitioner to put forth his case.

5) As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

03.04.2019
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