

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CWP No. 3354 of 2019

Date of Decision: February 07, 2019.

Mulkha Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Anil Chawla, Advocate
for the petitioner.

Rajan Gupta, J (Oral)

Petitioner has impugned order dated 17.5.2018 passed by Department of Home Guards & Civil Defence, Punjab. Plea of the petitioner for change in his date of birth has been rejected. Petitioner was inducted as a Home Guard Volunteer in the year 1988. He continued to serve as such for 28 years. As he neared his date of superannuation, he moved an application seeking modification of his date of birth. He claimed that his date of birth as recorded in the service record was not correct. He was actually born on 2.12.1970. He, thus, sought that his service period be extended for another 12 years. Admittedly, at the time of recruitment, petitioner stated his date of birth as 2.2.1958. This entry continued throughout the service career of the petitioner. Relying upon a certificate Annexure P/6 stated to have been issued by District Commander, Amritsar, he submits that his date of birth is 2.12.1970. His plea has been rejected by the Commandant General on merits as well on the ground that representation of the petitioner was time barred. I find no

ground to interfere in the writ jurisdiction. Plea taken for 12 years extension in service cannot be entertained. It is inexplicable as to why petitioner never moved any such representation for change of said date for a period of 28 years when he served with the department. Besides, disputed questions of fact cannot be adjudicated upon in the writ jurisdiction. Petition is hereby dismissed.

(Rajan Gupta)
Judge

February 07, 2019.

BB

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No