

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 19528 of 2018
Date of Decision : 22.01.2019**

Nindi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sukhmeet Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the challenge is to the order dated 11.06.2018 vide which the petitioner was made to retire on attaining the age of superannuation.

The writ petition has been filed on the basis of dispute in date of birth of the petitioner. On the identity card, the date of birth mentioned is 02.04.1967 and as per the impugned order it is 18.06.1960. On the basis of the said, the contention has been raised on behalf of the petitioner that he has not attained the age of 58 years and, therefore, the order dated 11.06.2018 treating the petitioner having attained the age of superannuation is factually incorrect.

The case came up for hearing on 11.12.2018, on which date the State was directed to ascertain the actual facts regarding the date of birth of the petitioner.

Today, a reply has been filed on behalf of the respondents-State, though no notice of motion was issued yet in the case, stating that as per the record maintained in respect of the entry of the petitioner into

service as S.P.O., the date of birth mentioned is 18.06.1960. This record pertains to the year when the petitioner was enrolled as Special Police Officer. Further, even in the Punjab Home Guards, the date of birth in the record has been entered as 18.06.1960. The reply is taken on record.

Faced with this situation, learned counsel for the petitioner states that he be allowed to withdraw the present writ petition as he does not want to press the same any further.

Dismissed as withdrawn being not pressed.

January 22, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*