

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

CWP No.1148 of 2019 (O&M)

Date of decision:-20.02.2019

Sewak Singh

.....Petitioner

versus

The Secretary, Punjab School Education Board, Vidya Bhawan, Phase-8
SAS Nagar, Mohali and others

.....Respondents

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

Present:- Mr. Brijesh Nandan, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.

Petitioner seeks a mandamus directing the Punjab School Education Board to correct his date of birth as recorded in the matriculation examination certificate (Annexure P-4) and for the same to read as 01.10.1965 instead of 05.07.1962.

The consequential prayer is for such correct date of birth to be also reflected in his service record as the petitioner is serving under the Punjab Power Corporation Ltd and accordingly his age of superannuation be determined by taking his date of birth to be 01.10.1965

Brief averments made in the petition are that as per primary school Class-V certificate issued by the school authorities as also the marksheet of the middle school examination issued in favour of the petitioner his date of birth is reflected as 01.10.1965. However, petitioner appeared in the matriculation examination in the year 1981 under Roll No.504671 and in the matriculation examination certificate issued by the

Punjab School Education Board his date of birth has been wrongly reflected as 05.07.1962.

Counsel for the petitioner would argue that at the time of issuance of the matriculation certificate, the petitioner by sheer oversight did not notice the wrong date of birth that had been recorded in such certificate and that the parents of the petitioner were illiterate. It has been contended that based upon the Class-V certificate as also the mark-sheet of the middle school examination the necessary correction in the date of birth ought to be carried out by the Punjab School Education Board and failing which extreme prejudice would be caused as date of retirement would be determined by taking the date of birth as 05.07.1962 instead of 01.10.1965.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that the prayer made in the instant writ petition cannot be accepted.

The matriculation examination certificate had been issued to the petitioner by the Punjab School Education Board on 20.09.1981. The date of birth incorporated in such certificate was 05.07.1962. It is on the basis of such date of birth that petitioner joined service under the Punjab State Power Corporation Limited on the post of Assistant Lineman in the year 1992. Even in his service record, the date of birth incorporated is 05.07.1962. It is now when the petitioner is on the verge of superannuation that he has woken up to raise such a claim.

Counsel has been unable to advert to any instructions/guidelines/rules issued by the Punjab State Education Board which would support the entertaining of such a belated claim for correction of date of birth.

That apart the claim of the petitioner as regards his date of birth to be 01.10.1965 is not supported by any cogent and credible evidence in the shape of a birth certificate having been issued by the concerned Registrar of Births and Deaths.

No intervention in the matter is called for.

Writ petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

20.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No