

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CWP No. 7763 of 2020

Date of Decision : 05.06.2020

Multan Singh Mehla

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vineet Sehgal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

As per the averments made in the writ petition, the date of birth of the petitioner has been changed to 01.12.1961 instead of 07.08.1960 as per judgment and decree dated 01.04.2014 (Annexure P-3) passed in his favour by the competent Court of law.

Learned counsel for the petitioner argues that despite the said decree, the record has not been rectified by respondent No. 3 and petitioner will be made to retire on the basis of his date of birth as 07.08.1960 even though, the same has already been changed by the competent Court of law. The prayer of the petitioner is for issuance of a direction to respondent No. 3 to rectify the record keeping in view the judgment and decree dated 01.04.2014 (Annexure P-3) passed by the competent Court of law.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has

submitted a representation dated 27.12.2019 (Annexure P-4) with the respondents, which is still pending consideration with the said authority and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 3 to decide the said representation by passing an appropriate speaking order.

Learned counsel for the petitioner submits that in case the date of birth of the petitioner is taken as 07.08.1960, he will be retired on 31.08.2020 and, therefore, respondents be directed to decide the representation dated 27.12.2019 (Annexure P-4) prior to the said date.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State and raises no objection for passing appropriate order on the representation of the petitioner dated 27.12.2019 (Annexure P-4) in a time bound manner.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 3 is directed to decide the representation dated 27.12.2019 (Annexure P-4) by passing a speaking order within a period of six weeks from the date of receipt of copy of this order.

Writ petition stands disposed of accordingly.

June 05, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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