

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

**CWP-7503-2017
Date of decision: 24.02.2020**

Rajpal

...Petitioner(s)

V/s.

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. N.S.Panwar, Advocate for the petitioner.

Mr. Deepak Balyan, Addl.A.G., Haryana.

RITU BAHRI, J. (Oral).

By this petition, the petitioner is seeking quashing of order dated 27.02.2017 (Annexure P-12) and further direction to the respondents to correct his date of birth in his service records with all consequential benefits.

The petitioner had joined services as Beldar on daily wages on 01.11.1987 and his services were regularized on 01.04.1993. As per the affidavit dated 22.12.1993 (Annexure P-3) made by him, the date of birth is mentioned as 05.05.1957 in his service records. However at the time of medical examination of the petitioner on 20.12.1993 as per the medical certificate (Annexure P-4), his age was taken to be as 26 years. The petitioner made his first representation for correcting his date of birth in the official records in the year 2016. The respondent department rejected the claim of the petitioner vide letter dated 25.05.2016 (Annexure P-9). He approached this Court by way of **CWP-22234-2016** and the writ petition was disposed of vide order dated 05.10.2016 (Annexure P-10) directing the

respondents to conduct fresh enquiry into the correct date of birth of the petitioner and take final decision. Vide order dated 27.02.2017 (Annexure P-12) after conducting fresh enquiry, the claim of the petitioner has been rejected observing that the date of birth of Rajpal Beldar S/o Raghbir Singh is 10.04.1964 as per the Govt. record and as per the report furnished by Executive Engineer Public Health Engineering Division No. 2 Gohana and he vide his memo dated 27.02.2017 mentioned that as per Rule 7.3 of Punjab Financial Rule (volume 1 part-1), the Government employee can get the date of birth entry changed within two years from the date of entry into Government service. Keeping in view Rule 7.3 and note 3 of Punjab Financial Rule, his request for correction of date of birth after 22 years of entry into Govt. service had been rejected.

Learned counsel for the State has further referred to the judgment passed by this Court in **CWP-19657-2004** titled as ***Dhani Ram Chaudhary V/s. State of Haryana and another*** whereby it has been held that change in date of birth can be made within two years from date of joining into service, and the claim of the petitioner is made after gap of more than 22 years of service.

No ground to interfere in the order dated 27.02.2017 (Annexure P-12) is made out.

Dismissed.

(RITU BAHRI)
JUDGE

24.02.2020
Divyanshi

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