

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.5197 of 2010

Rajen, Aged about 48 years, S/o Shri Bramhdeo, Presently working as Security Guard, Category-II, Kumda Colliery, S.E.C.L. Bistrampur, Distt. Surguja (C.G.)

---- Petitioner

Versus

1. South Eastern Coal Field Ltd., Through its Chairman cum Managing Director, Seepat Road, Bilaspur (C.G.)
2. Chief General Manager, South Eastern Coal Field Ltd., Bistrampur Area, Distt. Surguja (C.G.)
3. Personal Manager/Dy. Personal Manager, Kumda Colliery, Bistrampur Area, Distt. Surguja (C.G.)

---- Respondents

For Petitioner: Mr. Pawan Shrivastava, Advocate on behalf of Mr. Neeraj Mehta, Advocate.

For Respondents: Mr. Shubham Pandey, Advocate on behalf of Mr. Vivek Chopda, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/08/2021

1. Proceedings of this matter have been taken-up through video conferencing.
2. Learned counsel appearing for the petitioner submits that though the petitioner's date of birth is 31-1-1962, but it has wrongly been recorded in the service records as 15-8-1954 and therefore the petitioner has made several applications and representations for correction of his date of birth, but they have not been considered and even it has not been sent to the Age Determination Committee as per Implementation Instruction No.76. Therefore, the petitioner's date of birth be corrected as 31-1-1962.

3. Since the petitioner is an existing employee of South Eastern Coalfields Limited, his date of birth has to be determined in accordance with Implementation Instruction No.76 in which detailed procedure has been prescribed. Since the petitioner's applications/ representations for correction of his date of birth have not been considered and they have not been sent to the Age Determination Committee, it would be appropriate to refer the matter to the Age Determination Committee constituted in accordance with Implementation Instruction No.76 which will consider the issue of date of birth of the petitioner in accordance with Implementation Instruction No.76 within two months from the date of receipt of a copy of this order. It is ordered accordingly. It is made clear that this Court has not expressed any opinion on the merits of the matter. The petitioner is at liberty to file documents in support of his date of birth.
4. With the aforesaid observation and direction, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge