

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

CWP-24998-2021

Date of Decision: 10.12.2021

MANOJ KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to correct date of his birth as 05.01.1968 in the service record with a further prayer to grant him 2nd and 3rd ACP scales as due to him.

2. Learned counsel for the petitioner submits that qua his aforesaid grievance, petitioner submitted a representation dated 01.12.2021 (Annexure P-8), but to no avail. Hence, the instant petition.

3. Narrative of the facts given in the writ petition *ex-facie* reflects that there are disputed questions of facts, which cannot be adjudicated under the extra-ordinary writ jurisdiction of this Court.

4. No grounds to interfere are made out. The petitioner can avail civil remedy, as may be available to him in accordance with law as it cannot

be decided through writ petition on the basis of affidavits.

5. As regards the other relief of seeking entitlement to the 2nd and 3rd ACP, the present petition be treated as a representation and competent authority to pass orders in accordance with law.

6. Disposed of accordingly.

December 10, 2021

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No