

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

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CWP-29732-2022

Date of decision : 22.12.2022.

Umed Singh

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. S.K. Verma, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking a direction to the respondents to correct his date of birth in the service record.

Learned counsel for the petitioner submits that the petitioner, who had joined the service on 20.11.1985 as Cane Runner Kamdar, had mentioned his date of birth as 04.03.1963 on the basis of his matriculation certificate. However, later on, he had obtained the birth certificate from the Registrar, Birth and Death, Civil Hospital, Kaithal which indicates his date of birth to be 15.04.1964. A copy of this certificate is at Annexure P-3. The petitioner, thereafter, submitted a representation to the respondents for correction in the date of birth but no action has been taken by the respondents.

Heard.

The petitioner is stated to have joined as Cane Runner Kamdar on 20.11.1985. The date of birth which he had mentioned at the time of entry in service was 04.03.1963. The matriculation certificate indicates his date of birth as 04.03.1963 which is evident from the perusal of its copy which has

been annexed as Annexure P-2. The petitioner is due to retire on 31.03.2023. He has, thus, sought change in his date of birth at the fag end of his career which is impermissible in view of the law laid down by the Supreme Court in the case of **Bharat Coking Coal Ltd. and others versus Shyam Kishore Singh, 2020(3) SCC 411**, wherein it has been held that the application for change in date of birth at the fag end of the service would not be entertained.

The birth certificate (Annexure P-3) issued by the Registrar, Birth and Death, Civil Hospital, Kaithal, which has been relied upon by the petitioner, has been issued on 04.06.2022 while the matriculation certificate (Annexure P-2) which the petitioner had submitted at the time of entry in service indicating his date of birth as 04.03.1963, was issued on 23.06.1984.

In view of the aforementioned facts and circumstances, the matriculation certificate which the petitioner had submitted at the time of entry in service in the year 1985 would prevail over the birth certificate which has been issued in the year 2022.

Consequently, I do not find any merit in this petition which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

December 22, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No