

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

CWP No. 1332 of 2023

Date of decision : January 31, 2023

Sukhdev Singh

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :-Mr. Rajesh Kumar Girdhar, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present petition has been filed under Article 226/227 of the Constitution of India seeking issuance of writ in the nature of certiorari quashing the impugned order dated 23.12.2022 (Annexure P-2) passed by respondent No.5 whereby the petitioner has been discharged from duty w.e.f. 04.01.2023 for having attained the age of superannuation.

The case pleaded is that actual date of birth of the petitioner is 05.01.1975. However, the authorities have misread the same as 05.01.1965. On the last date of hearing learned State counsel was directed to seek instructions. Today, he has produced official record which includes form filled in the hand of the petitioner himself as per which the date of birth of the petitioner has been mentioned as 05.01.1965. On the basis of information and the documents submitted by the

also reveal that the date of birth of the petitioner has been mentioned as 05.01.1965.

In view of the aforesaid facts, I do not find that it is a fit case wherein this Court while exercising jurisdiction under Article 226 of the Constitution of India would venture into the disputed question with respect to the date of birth of the petitioner. However, liberty is granted to the petitioner to avail an alternate remedy in accordance with law, if so advised to establish his date of birth by leading cogent evidence as claimed in the writ petition.

The writ petition stands disposed off.

(PANKAJ JAIN)
JUDGE

January 31, 2023
archana

Whether speaking/reasoned	Yes
Whether Reportable :	No