

2023:PHHC:121834

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-20453-2023 (O&M)
Date of Decision:-15.9.2023

Balwinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajnish K. Gupta, Advocate for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking writ in the nature of mandamus directing the respondents to correct/amend his date of birth from '04.08.1966' to '04.08.1968' in the official records including the identity card.
2. Notice of motion.
3. On asking of the Court, Mr. Inderpreet Singh Kang, AAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondents-State.
4. Learned State counsel has informed that several cases had come to the notice of the department regarding serious irregularities and tampering in the date of birth of some officers/officials of the department and vide order dated 07.07.2015 passed by Deputy Commandant General, Punjab Home Guards,

all the Battalions/District Commanders were directed to check the case sheets of the guards of the units and send their report. It has specifically been clarified therein that the date of birth mentioned in the case sheet at the time of enrollment be treated as correct. Learned State counsel has also made reference to order dated 22.08.2023 passed by this Court in CWP-18329-2023 titled 'Harjinder Singh Vs. State of Punjab & others' involving the similar issue. In the said case, this Court relegated the petitioner to have recourse to other alternate efficacious remedies as may be available to him including filing of a civil suit, if maintainable, or pursue the matter with the department concerned on the basis of evidence, the petitioner may be having with regard to his age such as Driving License, Ration Card, Passport, Bank Account or information furnished in this regard with any other authority.

5. At this stage, learned counsel for the petitioner has submitted that although the petitioner has submitted a representation dated 14.07.2023 (Annexure P-5), but to no avail.
6. Having regard to the aforestated position and the fact that there are more than one document in records maintained by the respondents, wherein the date of birth of the petitioner was mentioned as '04.08.1968', the instant petition is disposed of with a direction to respondents No.5 & 6 to consider and decide the representation dated 14.07.2023 (Annexure P-5) expeditiously preferably within a period of 4 months from today.
7. The respondents are at liberty to direct the petitioner to produce any document which may be indicative of his age, as recorded or disclosed by him in the earliest point of time. Some such documents could be as stated herein-under:

- (i) Matriculation Certificate
- (ii) Ration Card
- (iii) Driving License
- (iv) Bank Account Opening Form
- (v) Life Insurance Policy
- (vi) Passport

8. The aforesaid list is not exhaustive. Documents recently prepared may be ignored. In case, the petitioner denies that he has never been issued Driving License, Passport, Ration Card etc., then an affidavit to the effect that he never applied for and has never been issued such document be taken from him.
9. The instant petition, as such, is disposed off.

15.9.2023
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(Gurvinder Singh Gill)
Judge

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