

2023:PHHC:136557

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

RSA-826-2018 (O&M)
Date of decision: 19.10.2023

Mata Phal

....Appellant

Versus

National Hydroelectric Power Corporation Ltd. and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Saurabh Garg, Advocate for
Mr. Gursimran Singh, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

1. In this Regular Second Appeal, the concurrent findings of fact arrived at by both the courts below have been assailed by the plaintiff. His attempt to change his date of birth in the service record, in order to change/postpone the date of his retirement, has been dismissed by both the courts below. The plaintiff filed the suit on 10.05.2012, and he was due to retire on attaining the age of superannuation in the year 2012 only. Both the courts have held that at the fag end of the service career, such a suit is not maintainable. Moreover, the plaintiff, while submitting his pension papers, has himself mentioned his date of birth as 07.07.1952 whereas in the suit he claims his date of birth to be 27.12.1958.

2. Keeping in view the aforesaid facts, no ground to interfere is made out.

3. Hence, dismissed.

4. All the pending miscellaneous applications, if any, are
also disposed of.

19.10.2023
rekha
Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No

(ANIL KSHETARPAL)
JUDGE