

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

CWP-28531-2022 (O&M)
Date of decision: 10.01.2023

Ram Parshad

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parveen Kumar Garg, Advocate for the petitioner

Ms. Shivani Sharma, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

1. The petitioner prays for issuance of a writ in the nature of Certiorari, to partly quash the order dated 08.08.2022, whereby he is sought to be retired on 31.12.2022. The petitioner claims that his date of birth in the service book is incorrectly recorded. It is submitted that the petitioner had submitted an affidavit in this regard on 30.01.1987, when he was working on muster roll basis in which he has disclosed his date of birth as 12.12.1965. A copy of the aforesaid affidavit has been attached.

Para 1 of the said affidavit reads as under:-

*“1. I solemnly affirm that date of my
birth is 12.12.196X (not legible but probably ‘5’) and
I was born at Fazilka.”*

2. From a perusal of the said para, it is evident that he has not disclosed his date of birth as 12.12.1965. In fact, only the first three numerals of the year have been typed, whereas, the last numeral with

regard to the year is omitted.

3. Ms. Shivani Sharma, DAG, Punjab, has produced the medical certificate of fitness of the petitioner prepared at the time of regularization of his service on 01.12.1994. In the aforesaid medical certificate, the petitioner's date of birth has been disclosed as 12.12.1962 and the same has been signed by him. Moreover, in the service book, the petitioner's date of birth is recited as 12.12.1962 and not 12.12.1965 as claimed by him. As per the service record, the date of birth of the petitioner is 12.12.1962. Moreover, this writ has been filed just a few days before the date of his retirement.

4. In the absence of any concrete evidence/material, it is not considered appropriate to direct the correction of the petitioner's date of birth in his service record, at this stage. Hence, no ground to issue the writ, as prayed for, is made out.

5. Dismissed.

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

10.01.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE