IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 1098 of 2022

Dhani Ram, aged about 60 years, S/o Narayan, R/o Bokaro Colliery, Sunday Bazar, P.O. – Sunday Bazaar, P.S. – Bermo, District – Bokaro.

… … Petitioner

Versus

1. M/S Central Limited, A Subsidiary of Coal India Limited having it registered office at Darbhanga House, Ranchi, P.O. – G.P.O. Ranchi, P.S. – Kotwali, District – Ranchi through its Chairman-cum-Managing Director.
2. Director (Personnel), M/s Central Coalfields Limited Darbhanga House, Ranchi, P.O. – G.P.O. Ranchi, P.S. – Kotwali, District – Ranchi.
3. Chief General Manager, B & K Area of Central Coalfields Ltd. Kagali, P.O. – Kagali, P.S. – Bermo, District – Bokaro.
4. Project Officer, Bokaro Colliery, Central Colfields, P.O. – Kargali, P.S. – Bermo, District – Bokaro.
5. Assistant Manager (Personnel Administration0, Bokaro Colliery, Central Coalfields Ltd. P.O. – Kargali P.S. – Bermo District – Bokaro.

… … Respondents

CORAM :HON'BLE DR. JUSTICE S. N. PATHAK

For the Petitioner : Mr. A. K. Sahani, Advocate
For the Respondents : Mr. D. K. Chakraverthy, Advocate

05/02nd December 2024

1. Petitioner has approached this Court for quashment of letter no. 18 of 2021 dated 31.01.2018 (Annexure-8) whereby and where under the respondent no. 5 declined to make necessary correction in the date of birth of the petitioner. Further prayer has been made for a direction upon the respondents to consider the date of birth of the petitioner as 09th July 1959 based on payment slip/ salary slip.

2. Learned counsel for the petitioner vociferously argues that the petitioner's date of birth be corrected in view of the date of birth mentioned in the payment slip i.e., 09th July 1959. He further submits that by a vague and non-speaking and cryptic order, case of the petitioner has been rejected, which is fit to be quashed and set aside with a direction upon the respondents to correct the dated of birth as mentioned in the salary slip. It has been further argued that there is also inference in the service excerpts itself and as such the same needs to be corrected.

3. On the other hand, learned counsel for the CCL Mr. D. K. Chaturvedi opposing the contention of the learned counsel for the petitioner argues that date of birth mentioned in the payment / salary slip cannot be considered by the Respondent – Authorities and the same cannot be considered as an actual date of birth. The date of birth mentioned in the statutory Form – B Register is to be taken for all the purposes and entry made in it, is considered to be authentic. Any date mentioned in the salary slip cannot be taken as a gospel truth and the same cannot be relied upon. Further it has been argued that the petitioner has approached this Court after 12 long years of retirement which is itself is a good ground for rejection of his claim.

4. Having heard the learned counsel for the parties, this Court is of the considered view that issue involved in the writ petition is no more res-integra. No correction can be made in the date of birth at the far end of service career. The petitioner has approached this Court after 12 long years therefore, no interference is warranted in the instant writ petition. Admittedly, date of birth mentioned in the statutory Form-B Register, is 26th February 1950, the same cannot be interfered with at this stage.

5. Resultantly, the writ petition stands dismissed.

(Dr. S. N. Pathak, J.)

Aditi