

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.12681 of 2013

Date of Decision : May 31, 2013

Smt.Archana Chawla @ Archana KumariPetitioner
versus
Union of India and othersRespondents

CORAM : HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE R.P.NAGRATH.

Present : Mr.Barjesh Mittal, Advocate, for the petitioner.

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- 1. Whether Reporters of Local papers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The petitioner impugns the order dated 18.5.2010 passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh, whereby her Original Application seeking change in the date of birth, has been dismissed.

Though the writ petition can be conveniently dismissed on the ground of delay and laches alone as the same has been filed after three years of passing of the impugned order by the Tribunal, however, we also take notice of the petitioner's claim on merits which has been rightly declined by the Tribunal.

The petitioner joined the respondent-department on 11.1.1996 and statedly came to know on 22.4.2008 that her correct date of birth is 1.9.1971 and not 1.9.1970. The Tribunal has declined to entertain the petitioner's request after referring to Note-6 below FR 56(m) whereunder such a

request could be made within five years of entering into Government service.

In a catena of decisions, the Hon'ble Supreme Court has deprecated the practice of Government employees rushing to Courts for change of the date of their birth at the fag end of service career. The instant case is no exception. The decision in CIDCO versus Vasudha Gorakhnath Mandevlekar 2009 (7) SCC 283 relied upon by the petitioner is of no help for more than one reasons. That was a case of seeking correction in terms of the statutory rules and secondly, an interpolation in the form was made for which the employee was not responsible.

Dismissed.

(SURYA KANT)
JUDGE

May 31, 2013
Mohinder

(R.P.NAGRATH)
JUDGE