
(2003) 04 JH CK 0029
In the Jharkhand High Court
Case No : L.P.A. No. 21 of 2003

Md. Jamaluddin

APPELLANT

Vs

The Chairman SAIL and Others

RESPONDENT

Date of Decision : 09-04-2003

Acts Referred:

Citation : (2003) 3 JCR 685

Hon'ble Judges : Gurusharan Sharma, J; Amareshwar Sahay, J

Bench : Division Bench

Advocate : Sohail Anwar and Krishna Shankar, for the Appellant; None, for the Respondent

Final Decision : Dismissed

Judgement

1. Heard. This appeal has been filed against the order dated 14.6.2001, passed by the learned Single Judge in CWJC No. 1069 of 2000 (R). After removing defects, it has been filed on 10.1.2003. whereas limitation for filing the appeal had already expired on 16.7.2001. Hence, L.A. No. 301 of 2003 at flag "I" has been filed for condonation of the said delay.

2. Appellant was appointed as Rigger on 21.7.1973 in Bokaro Steel Plant. In the year 1996 he came to know that his date of birth in personal data form was changed/ interpolated. As such on 24.1.1996 he filed representation for correction of the aforesaid wrong entry made. No decision was taken on his representation. He, therefore, moved this Court, but his writ application was not entertained and was dismissed with a liberty to him to get the controversy regarding his date of birth decided in Civil Court. Since, appellant has alleged correction/interpolation in his date of birth in personal data form, it could not have been decided in a writ application under Article 226 of the Constitution of India. For a decision in the matter proper enquiry has to be made and evidence has to be adduced by the parties.

3. In our opinion, therefore, learned Single Judge was quite justified in not

entertaining the writ application. In this regard the appellant is at liberty to choose appropriate forum in accordance with law for redressal of his grievance either before the Civil Court or the Labour Court. We, find no reason to interfere with the impugned order and consequently it is not necessary to issue notice in limitation matter. This appeal is dismissed.