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WA-2761-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 25th OF SEPTEMBER, 2025

WRIT APPEAL No. 2761 of 2025

ABDUL SALEEM

Versus

WESTERN COAL FIELD LTD. AND OTHERS

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Appearance:

Shri Vitthal Rao Jumre - Advocate for the appellant.
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ORDER

Per. Hon'ble Shri Justice Vinay Saraf.

1. By taking exception to the order passed by learned Single Judge on 12.09.2025 dismissing the Writ Petition No.30467/2025 by the appellant seeking direction to respondents to correct the date of birth of appellant in service record and setting aside the retirement information notice , the instant intra court appeal has been preferred.

2. Heard Shri Vitthal Rao Jumre, learned counsel appearing on behalf of appellant on the question of admission.

3. Facts of the case are that the appellant was appointed in respondent organization on 11.09.1984 on the post of temporary Badali Tub Loader at the age of 19 years and in the service record his date of birth was recorded as 24.09.1965, whereas, as per the appellant, he borne on



21.06.1966. When the appellant came to know about the date of birth recorded in the service record through RTI on 22.04.2013, the appellant issued a letter on 19.09.2024 for correction of his date of birth in service record, which was rejected by respondent No.5. On 03.10.2024, retirement notice was issued mentioning the date of superannuation of the appellant as 30.09.2025. The said retirement notice was challenged by appellant in the subject writ petition, which was dismissed vide order dated 12.09.2025 by the learned Single Judge.

4. Learned counsel for the appellant submits that application submitted by the appellant for correction of date of birth along with the educational certificates, PAN card, Driving licence, Aadhar card ought to have been accepted by the respondent. He further submits that from bare perusal of documents, it appears that his date of birth has been erroneously recorded in service record, which is liable to be corrected and appellant be permitted to continue in service till 30.06.2026.

5. Heard learned counsel for the appellant and perused the record.

6. Learned Single Judge has considered the facts of the case in detail and held that appellant was sitting tight over the matter despite being provided the information in the month of April 2013 that his date of birth has been recorded in service record as 24.09.1965 but no effort was made by appellant to take any action for correction in the date of birth for a period of 10 years and at the fag end of the career, request for correction of the date of birth was made, which cannot be accepted in view of judgment delivered by Supreme Court in *Bharat Coking Coal Limited and others vs. Shyam*



Kishore Singh, (2020) 3 SCC 411, wherein the Supreme Court has held that at the fag end of the career, request for correction of date of birth should not be accepted.

7. From perusal of record, it appears that a nomination form was signed and submitted by the appellant nominating his wife in the year 2012, wherein he himself has mentioned the date of birth as 24.09.1965. No explanation has been offered by the appellant for mentioning wrong date of birth in the nomination form. The same date of birth was mentioned in Form-B but the appellant submitted that the said form was signed by the appellant in the blank position and later on, the information was filled up by the clerk of respondents. However, no such explanation was placed by the appellant in respect of Form PS-3, wherein, the particulars of family was submitted and Form PS-4, which is a nomination form. Both the forms were duly signed by the appellant and submitted on 08.08.2012, wherein the appellant himself has mentioned his date of birth as 24.09.1965. A declaration was also submitted by the appellant on 26.10.1985, wherein his date of birth was mentioned as 24.09.1965.

8. Considering the material available on record, it appears that appellant himself has mentioned the date of birth as 24.09.1965 and now on the basis of educational certificates and other documents, appellant cannot be permitted to amend the date of birth at the fag end of his career as the appellant is retiring on 30.09.2025.

9. The judgment delivered by the Supreme Court in the matter of *Shyam Kishore Singh* (supra) and in *SLP (C) No.21377/2024* on



03.01.2025, South Eastern Coal Fields Ltd. and another Vs. Ramniranjan

Patel, speak about the correction of date of birth in the service record by holding that after a long period and at the fag end of the career, employee cannot be permitted to raise the issue of erroneous date of birth recorded in service book and make a prayer for correction in the date of birth.

10. We are in full agreement with the findings recorded by the learned Single Judge, which appears to be just and proper and based on due appreciation of the facts and circumstances of the case.

11. Considering the facts and circumstances of the case, we do not find any illegality or irregularity in the impugned order passed by learned Single Judge. Consequently, the appeal deserves to be dismissed and is hereby dismissed. No order as to costs.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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