

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**[Civil Writ Jurisdiction]**

**W.P.(L) No. 787 of 2022**

Employer in relation to the Management of Ghanoodih Colliery under Bastacolla Area of M/s BCCL (M/s Bharat Coking Coal Limited).... .. Petitioner

Versus

Their Workman represented through the Secretary, Bhartiya Mazdoor Sangh, Dhanbad  
.. .. . Respondent

.....  
**CORAM :HON'BLE MR. JUSTICE KAILASH PRASAD DEO**

.....  
For the Petitioner : Mr. Amit Kumar Das, Advocate

For the respondent :

.....

**04/ 16.06.2022.**

Heard, learned counsel for the petitioner, Mr. Amit Kumar Das.

Petitioner- Employer in relation to the Management of Ghanoodih Colliery under Bastacolla Area of M/s BCCL (M/s Bharat Coking Coal Limited) has preferred the writ petition for setting aside the award dated 26.11.2020, passed by Central Government Industrial Tribunal, No.1, Dhanbad in Reference No.26 of 2015 whereby, the date of birth of the employee has been asked to be rectified, which was adjudicated after superannuation of the employee.

Learned counsel for the petitioner, Mr. Amit Kumar Das has submitted, that the stand taken by the petitioner- Management is mentioned at paras 17, 18 and 20 of the brief.

Learned counsel for the petitioner, Mr. Amit Kumar Das has further submitted that Hon'ble Apex Court in the case of *Eastern Coalfields Limited and Ors. vs. Ram Samugh Yadav and Ors.*, reported in *2020 (3) SCC 421* has held that prayer for correction in date of birth at fag end of career is impermissible, as such, impugned order is bad in law.

Considering the same, let notice be issued upon sole respondent, their Workman represented through the Secretary, Bhartiya Mazdoor Sangh, Dhanbad Zila, having its office at Bich Balihari, P.O. and P.S. Kusunda, District- Dhanbad (Jharkhand) under speed post for which requisites etc. must be filed by Friday.

Office is directed to track the speed post.

Put up this case after service of notice.

**(Kailash Prasad Deo, J.)**