

IN THE HIGH COURT OF JHARKHAND AT RANCHI
WP(S) No.2451 of 2022

Nawal Kishor Paswan, Aged about 55 years, S/o- Late Lakhan Paswan R/o-Karmik Nagar, Saraidhella, P.O.-Jaggiwan Nagar, P.S.-Saraidhella, District-Dhanbad. **... Petitioner(s).**
Versus

1. M/s Bharat Coking Coal Limited through its Chairman cum Managing Director, At Koyla Bhawan, Koyla Nagar, P.O.-B.C.C.L. Township, P.S.-Saraidhella, District-Dhanbad.
2. The Director (Personnel), M/s Bharat Coking Coal Limited, At Koyla Bhawan, Koyla Nagar, P.O.-B.C.C.L. Township, P.S.-Saraidhella, District-Dhanbad.
3. The General Manager, Lodna Area, M/s Bharat Coking Coal Limited, At Lodna, P.O. Tisra, P.S. Lodna, District-Dhanbad.
4. The Area Manager, (Personnel), Lodna Area, M/s Bharat Coking Coal Limited, At Lodna, P.O. Tisra, P.S. Lodna, District-Dhanbad. **... Respondent(s).**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Awanish Shekhar, Advocate
For the BCCL : Mr. Amit Kumar Das, Advocate

.....

15 /29.01.2026: Heard learned counsel representing the petitioner and learned counsel representing the respondents.

2. The dispute is in respect of date of birth of the petitioner. The petitioner claims that his date of birth is 05.01.1967 whereas the respondents claims that the date of birth of the petitioner is 31.05.1962.

3. The claim of the petitioner is based on Annexure-3 which is the photocopy of service excerpts wherein the date of birth was mentioned as 31.05.1962 but there is another date of birth which has been scratched out which is 05.01.1967.

4. Learned counsel for the respondents submits that the original of this document is missing from the file and is not available. The respondents produced the original of Form-B of the petitioner which contains the thumb impression and signature of the petitioner also wherein in both the Form-B register the date of birth of the petitioner is mentioned as 31.05.1967.

5. Assessment of date of birth is purely a question of fact. The fact in this case is highly disputed which only can be resolved by adducing proper evidences and cannot be resolved in an application under Article 226 of the Constitution of India.
6. Thus, considering the nature of dispute, which is a disputed question of fact, in view of the divergent document which has been brought before me which contains different date of birth, I am not inclined to entertain in this writ petition.
7. The petitioner, if so advised, may approach the Civil Court for appropriate adjudication.
8. This writ petition is **dismissed** with the aforesaid liberty.

(ANANDA SEN, J.)

29.01.2026
Tanuj/CP-2

Uploaded on 31.01.2026