

ORDER SHEET
**IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD**

C.P No.D-484 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection.
2. For hearing of MA No.2237/2017.
3. For hearing of main case.

17-11-2022

Mr. Noor Ahmed Memon advocate for petitioner.

Mr. Ghulam Abbas Sangi Attorney General for Pakistan.

Mr. Muhammad Irfan Chandio advocate for respondents/OGDCL.

Mr. Rafique Ahmed Dahri Assistant A.G. Sindh.

Applicant was appointed as 'Helper' (Security) on pay of Rs.1245/- per month on 23.08.2004. He accordingly joined his duty as per notification of even date and his date of birth was marked as 01.07.1957 in the joining report. He came to know of it, however, after a lapse of subsequent period and moved an application for correction of his date of birth from 01.07.1957 to 01.07.1974 and along with application he filed the relevant documents viz. his Family Tree Certificate, Old CNIC and new CNIC. On his application, a Committee was constituted which looked into the matter and vide decision dated 31.10.2016 declined his application by observing that it had received no substantial evidence from Location Incharge of Mr. Shafique. Reason at a later date has been given that date of birth shown, as 01.07.1957 was a typing error. This is lame excuse to justify 17 years of difference. The Committee therefore decided to consider correct date of birth as 01.07.1957 instead 1974, already provided in Computer record and confirmed by the Location Incharge at the time of initial entry in service.

2. We have heard the parties. It is obvious that the Committee while determining the age of the petitioner has not looked into the documents provided by the petitioner for correction of his date of birth and merely by looking at the aspect of the delay in filing the application and the fact that in the joining report the date of birth was mentioned as 01.07.1957, dismissed the application of the petitioner without even taking pains to determine as to on what document the date of birth of the petitioner as 01.07.1957 was marked on the joining report.

3. We are therefore of the view that the Committee while rendering such decision has not performed to the mandate given by the OGCL to it and has made of an erroneous decision in this regard. We, therefore, while disposing of the petition remand the matter to the OGDCL for reconstituting a Committee and making a fresh decision by not only considering all the old documents but also documents the petitioner has already supplied for correction of his date of birth, within a period of one month. Accordingly, this petition is **disposed of** in the above terms along with listed application.

JUDGE

JUDGE

Abdullah Channa/PS