

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2774 of 2015

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1. Nande @ Nande Mallick son of resident of Masudh Bigha , Ward
no-10, P.S.- Barh , District- Patna.

.... Petitioner/s

Versus

1. The Chairman , Nagar Parishad, Barh, District- Patna.
2. The Town Executive Officer, Nagar Parishad, Bardh, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Prasad
For the Respondent/s : Mr. Partha Sarthy

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 23-04-2015

23.04.2015

Heard learned counsel for the parties.

The sole reason why the writ application is required to be dismissed is that after the petitioner superannuates he cannot raise a grievance with regard to his age or date of birth. The service-book has been annexed with the counter affidavit, wherein the date of birth of the petitioner, based on the medical report, was entered as 13.01.1955. Petitioner had entered in service sometime in the year 1978. The service-book was opened on 15.01.1985. In all these years, the petitioner did not have any grievance with regard to this entry. Merely to permit him to extend his stay in Nagar Parishad, this Court is not going to allow him to raise such issue after he has been asked to superannuate. Obviously, this is

an application, not based on truthful facts and assertions, the records are loaded against the petitioner with regard to his date of birth at the time of entry in service. Even otherwise, the petitioner has served the organization for more than 37 years now.

Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

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