

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6957 of 2014

=====

Arjun Prasad, S/O Ram Charan Prasad @ Ram Charan Yadav, Resident of
Village - Nanand, P.S. - Silao, District - Nalanda.

.... Petitioner

Versus

1. The Bihar School Examination Board through its Chairman, Patna.
2. The Secretary, Bihar School Examination Board, Patna.
3. The Deputy Secretary-Cum-Public Information Officer, Bihar School Examination Board, Patna.
4. The Head Master, High School, Nanand, Nalanda.
5. The Head Master, Middle School, Nanand, Nalanda.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. K.N.Singh, Sr.Adv.

For the B.S.E.B. : Mr. Manish Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 07-01-2015 Heard the parties.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondent Bihar School Examination Board, Patna and its functionaries to correct his date of birth as 04.01.1957 in place of 04.01.1955 as also correct the surname of his father in his matriculation certificate.

Indisputably, the petitioner passed his middle school examination in the year 1968 and he passed his matriculation examination in the year 1973. Subsequently, the petitioner was appointed in the Education Department and he is working on the post of Clerk.

Learned senior counsel appearing on behalf of the petitioner submits that, though the petitioner is at the fag end of his service career, but his date of birth can be corrected even at this stage.



Learned counsel appearing on behalf of the respondent nos.1 to 3 has opposed the prayer by referring to the averments made in the counter affidavit filed on their behalf. It is contended that, in fact, the petitioner had filed an application before the respondent Bihar School Examination Board for correction of his date of birth and correction of surname of his father, but that was rejected by the Secretary of the respondent Bihar School Examination Board by the order/communication dated 06.12.2013 (Annexure-D to the counter affidavit). It is contended that the petitioner has not challenged the validity and correctness of the aforesaid order and he is seeking a direction for grant of such relief.

After having heard the parties, this Court finds that the writ petition suffers from delay and laches on the part of the petitioner. Indisputably, he is at the verge of superannuation from service. The present writ petition is a ploy of the petitioner for getting his service extended for two more years, which cannot be countenanced by passing an order for correction of date of his birth at the fag end of his service career.

The writ petition seems to be completely misconceived and is, accordingly, dismissed, but there shall be no order as to costs.

(Birendra Prasad Verma, J)

Arvind/-

U			
---	--	--	--