

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10620 of 2011

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Saraswati Devi wife of Chai Ram, resident of village- Sonpurwa, P.S. Garhwa, District- Garhwa (Jharkhand), at present residing in the Campus of Central Jail, Bhagalpur P.S.-Tilkamanjhi, Distt.-Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
 2. The Secretary (Home), Bihar, Patna.
 3. The Inspector General (Jail) Bihar, Patna.
 4. The Jail Superintendent, Central Jail, Bhagalpur. Respondents
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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey, Adv.

For the Respondent/s : Mr. AC to AAG-14

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 10-02-2016 Heard Sri Sanjay Kumar Ghosarvey, learned counsel
for the petitioner and learned AC to AAG-14.

The petitioner, who superannuated with effect from 30.06.2011 after attaining the age of retirement, has filed the present writ petition in the month of July, 2011, raising a dispute that in her service book, actual date of birth was not recorded and instead of recording date of birth only assessed age as 37 years was recorded. It was opened in the year 1997. It has been claimed that as per horoscope, the date of birth of the petitioner was 31.03.1961, however the same was not recorded in her service book and the petitioner was compelled to prematurely retire. It has also been submitted that the petitioner has raised objection immediately after noticing information published on the Notice

Board, wherein the date of retirement of the petitioner and others was notified. The petitioner has also brought on record the photo copy of her Service Book and in column no.5, in categorical term, the age of the petitioner has been mentioned as 37 years, which was prepared in the year 1997. By filing the writ petition, the petitioner has also brought on record a report of the Medical Board, which suggests that she was 37 years old on the date of her examination, which was done in the year 1997 itself.

In this case, a counter affidavit has also been filed and the stand taken in the service book as well as the fact that the petitioner was 37 years old on the date of recording her age in the service book has been corroborated.

It goes without saying that as per Bihar Financial Rule, there is provision for raising any dispute in respect of correction of date of birth within specified time. The present writ petition was filed after retirement. Moreover she has been made to retire on the basis of age recorded in service book. No plausible document has been brought on record to persuade the Court to re-examine the matter.

I do not find any ground to entertain the writ petition.
The writ petition stands dismissed.

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(Rakesh Kumar, J)