

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7736 of 2015

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1. Sukhdeo Mukhiya, Son of Late Bhola Mukhiya, Resident of Village and P.O.-
Rasiyari, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar.
2. The Principal Secretary Department of Health and Family Welfare Department
Government of Bihar, Patna.
3. The Director in Chief Health Service, Bihar, Patna.
4. The Regional Deputy Director, Health Services Darbhanga Division, Darbhanga.
5. The Civil Surgeon Chief Medical Officer, Darbhanga.
6. The District Magistrate District of Darbhanga.
7. The Incharge Medical Officer Health Centre Kiratpur, District- Darbhanga.
8. The Incharge Medical Officer Primary Health Centre Madhepura, District-
Madhubani.
9. The District Treasury Officer, District- Darbhanga
10. The Deputy Treasury Officer Sub- Treasury Benipur, District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Mishra

For the Respondent/s : Mr. SC4-Md. Raisul Haque

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 08-02-2016

After retirement neither this Court nor can the authorities entertain any request for change of date of birth more so since there is no authentic evidence to show the date of birth which the petitioner is claiming is authentic or is relatable prior to his date of joining on a class IV post, which is said to be 5.4.1973. There are enough telltale signs available on record including the counter affidavit that obviously the writ petition has been filed to hang on to the job and the benefits as long as he can by trying to create a new date of birth

after many many years.. The law is already settled that if any requirement or request for change in date of birth is made it must be done within 10 years from joining a service. There are one to many cases belonging to class IV posts where documents are created after joining service showing a different date of birth. The original entry should be treated to calculate the actual date of superannuation and such change at the fag end should be discouraged.

The State counsel even otherwise submits that if the date of his joining is correct then obviously petitioner joined service when he was less than 18 years of age so cannot continue in service beyond 42 years of work. Petitioner is silent on this count.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

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