

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15600 of 2008

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Krishna Nandan Paswan @ Krishchnandan Paswan, S/o Nandlal Paswan,
Resident of Village Bedaul Baj, P.S. Purnahia, Distt. Sitamarhi at present
Chaukidar Purnahia Unchal Shivhar (Bihar).

.... Petitioner

Versus

1. The State of Bihar
2. District Magistrate Shivhar.
3. District Establishment Deputy Collector, Shivhar.
4. Subdivisional Officer, Shivhar.
5. Circle Officer Purnahia Unchal, Shivhar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Raj Dular Sah

For the Respondent/s : AC to GP - 5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 02-03-2017 Heard Sri Raj Dular Sah, learned counsel for the
petitioner and learned A.C. to Govt. Pleader – 5.

The petitioner, who superannuated with effect from 30-11-2008, just prior to his retirement, has approached this Court by filing the present writ petition on 20-10-2008, with a prayer to quash a communication contained in letter no. 456 dated 08-08-08 issued under the signature of Deputy Collector District Establishment, Shivhar, whereby the claim for correction of date-of-birth in respect of petitioner was rejected.

It was accepted by learned counsel for the petitioner that petitioner's service, as *Chaukidar*, was confirmed in the year 1990 and thereafter, in the year 1992, service book was opened, but in the service book, according to learned counsel for the



petitioner, incorrect date-of-birth was recorded, as 12-11-1948. It has been argued that petitioner was never examined by medical board and incorrectly, his date-of-birth was recorded. According to him, as per certain documents, such as; school leaving certificate as well as horoscope, the date-of-birth of petitioner is 31-12-1965, however; learned counsel for the petitioner submits that typographical error has occurred in paragraph – 12 of the petition, instead of 31-12-1965, it has been typed as 31-12-1975.

Learned State counsel submits that any dispute in respect of correction of date-of-birth, as per Bihar Financial Rules, is to be raised within a period of ten years only, whereas, in the present case, as per petitioner himself, for the first time, he had raised the dispute on 09-07-2008 regarding correction of his date-of-birth in the service book, whereas, he was to superannuate w.e.f. 30-11-2008.

Considering the facts and circumstances, particularly the fact that only at the fag end of retirement, the petitioner had raised the dispute regarding date-of-birth, there is no reason to entertain the present writ petition.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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