IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1650 of 2016
IN
Civil Writ Jurisdiction Case No. 15184 of 2014

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Sapan Ghosh, son of Late Kalipad Ghosh, resident of Mohalla- Chandrabanshi Galli, Nalband Toli, P.S.- Alamganj, District- Patna.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department.
2. The Joint Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Officer on Special Duty-cum-Director (Press), Finance Department, Patna.
4. The Superintendent, Secretariat Press, Gulzarbagh, Patna.
5. The Superintendent Incharge, Secretariat Press, Gulzarbagh, Patna.
6. The Sub Divisional Officer, Patna City, Patna.
7. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Utsav Kumar, Advocate
For the Respondent/s : Mr. Prabhakar Jha, G.P.-27

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CORAM: HONOURABLE THE CHIEF JUSTICE
And
HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 08-05-2017

Seeking exception to an order dated 22.07.2016 passed by the learned Writ Court in CWJC No.15184 of 2014; this appeal has been filed under Clause X of the Letters Patent.

Petitioner's claim for compassionate appointment has been rejected and there being a disputed question of fact with regard to the date of birth and its correction by the departmental authorities, the learned Writ Court did not interfere into the matter and relegated the petitioner to take recourse to remedy of filing a civil suit where the dispute pertaining to correction of date of birth of the petitioner's

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mother in the service record can more appropriately be dealt with. In doing so, we are of the considered view that the learned Single Judge has not committed any error warranting reconsideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.05.2017
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