

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1051 of 2014
IN
Civil Writ Jurisdiction Case No. 8774 of 2014**

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Indian Overseas Bank, a body corporate constituted under the Banking Companies (Acquisition & Transfer) Act 1970, having its Central Office at 763, Anna Salai, Chennai- 600002 and having one of its Regional Office at West Gandhi Maidan, P.S.- Gandhi Maidan, District- Patna through its General Manager, Sri Jitendra Nath Prasad

.... Appellant/s

Versus

1. The Union of India, through Secretary, Ministry of Finance, Govt. of India
2. Indian Banking Association, World Trade Centre, 6th Floor, Centre 1 building, World Trade Centre Complex, Cuffe Parade, Mumbai- 400005
3. Institute of Banking Personnel Selection, through its Director, Institute of Banking Personnel Selection, IBPS House, Behind Thakur Polytechnic, Kandivali (East), Mumbai
4. Sri Vishal Kumar Lal S/o Sri Vinod Lal Das, resident of 404-B, Shiv Shubala Apartment, Chiragora Hirapur, P.O. & P.S.- Dhanbad, District- Dhanbad (Jharkhand), presently residing at Bahadurpur (Dyodhi Gali), P.O.- Samastipur, District- Samastipur, Bihar

.... Respondent/s

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Appearance :

For the Union of India :	Mr. Ritesh Kumar Verma, CGC
For the IBPS:	Mr. Siddharatha Prasad, Advocate
For the Respondent-4:	Mr. Saket Tiwary, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 07-04-2017

Heard learned counsels for the parties.

The Learned Single Judge has committed no wrong in allowing the writ application vide order, dated 16.05.2014 with a direction to examine whether there was a deliberate effort made to mis-declare the date of birth.

Prima facie from narration of events, it seems that a



mistake has been committed with regard to the month of birth. The date and year seems to be the same. Instead of December, November seems to have been typed.

This cannot be a ground for rejecting the candidature.

Even otherwise the Learned Single Judge has remitted the matter back to the authorities to consider the matter in correct perspective.

No interference is required with the order of the Learned Single Judge, because the ball is in the court of the appellant.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
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