

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1032 of 2016

In
Civil Writ Jurisdiction Case No. 19708 of 2014

- =====
1. Md. Sagir Son of Late S.K. Abdul Hasan, resident of village - Mahua Bhusa, Post Office Lachchnauta, Police Station - Gonaha, District - West Champaran then posted as Assistant Teacher, Upgraded Middle School, Beram Sarai, Block Ghosi, District – Jehanabad.
 2. Md. Zafir Ahmed Son of Late S.K. Abdul Hasan, Resident of village - Mahua Bhusa, Post Office Lachchnauta, Police Station - Gonaha, District - West Champaran then posted as Assistant Teacher, Upgraded Middle School, Pakri, Block Jehanabad, District – Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Jehanabad.
4. The District Programme Officer, Establishment, Jehanabad.
5. Bihar School Examination Board, Budh Marg, Patna through its Secretary.
6. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
7. The Secretary, Bihar School Examination Board, Budh Marg, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 28-06-2017 Seeking exception to an order dated 19th January 2016 passed by the learned Writ Court in C.W.J.C. No. 19708 of 2014, this appeal has been filed under clause 10 of the Letters Patent.

The dispute is in between the appellants regarding their date of birth.



The learned Writ Court found that after an earlier order passed on 13.03.2014, a detailed enquiry has been conducted which culminated in quashing of the impugned order (Annexure-A), on these grounds, the Writ Court refused to entertain the matter with regard to correction/change of date of birth as the same is a finding of fact based on evaluation of the material available on record.

We are of the considered view that the learned Writ Court has not committed any error.

The appeal stands dismissed.

(Rajendra Menon, CJ)

Mahesh/-

(Anil Kumar Upadhyay, J)

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