

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.332 of 2018

In
Civil Writ Jurisdiction Case No.888 of 2015

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Raj Kishore Manjhi, son of Late Ram Kripal Manjhi @ Kripal Manjhi,
resident of At & P.O.- Belhari, P.S.- Taraiya, District- Saran, presently
Village- Jeganchapra, P.O.- Mirgapur, P.S.- Marhaura, District- Saran
(Chapra).

... .. Appellant/s

Versus

1. The State of Bihar, through the Secretary, Department of Rural Development,
Govt. of Bihar, Patna.
2. The Accountant General (A & E) Bihar, Veer Chand Patel Path, Patna.
3. The District Magistrate, Saran at Chapra.
4. The District Provident Fund Officer, Saran at Chapra.
5. The Treasury Officer, Saran at Chapra.
6. The Circle Officer, Taraiya, Saran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Shekhar Tiwary, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-12-2018

Even though this appeal has been listed for removal of defects, we have gone through the records. There are certain surprising facts which even otherwise deserve to be taken notice, namely, that the date of death of the appellant's father, admittedly, as indicated by the appellant himself, is 6th of January, 1971 whereas the identification proof filed in support of the appeal, which is a photostat copy of the Aadhar Card, depicts the date of



birth of the appellant as 1st of January, 1973. Apart from this, the appellant has relied on a letter written by his late mother dated 17th of April, 1974, which is Annexure-3 to this appeal, where she has described that her only son, namely, Raj Kishore Manjhi, who is the appellant herein has become major. Such facts are glaringly inconsistent and not only create a doubt but even create a cloud over the date of birth of the appellant himself. To rely on such documents and then proceed to question the correctness of the judgement of the learned Single Judge would be a travesty of justice.

For the said reasons, we are not inclined to entertain this appeal, much less allow any time for removal of defects.

Appeal stands rejected.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Nasimul/-
K.C.Jha

AFR/NAFR	NAFR
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