

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17435 of 2010

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Mahadev Prasad Das S/O Late Singeshwar Prasad Das R/O Vill Dhaka More Tola
Kejrai Pathar, P.S.+Distt-Banka

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director Welfare Government Of Bihar, Patna
3. The District Magistrate Banka, Distt-Banka
4. The Dy. Director Welfare Bhagalpur, Distt-Bhagalpur
5. The District Welfare Officer Banka, Distt-Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Singh Vikram, Adv.
For the Respondent/s : Ms. Abhanjalli, AC to GA12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 09-02-2018

Heard learned counsel for the parties.

In this case the petitioner is seeking modification in the date of birth as in the service book, initially the date of birth was recorded as 6.1.1952 but, later on, after cutting, it has been made to 6.1.1962 and, on the basis of the date of birth earlier recorded, the petitioner has been made to superannuate from service.

The petitioner entered in the service as Rasoia (4th Grade) on 1.2.1985 and the date of birth was accordingly mentioned in the service book but, later on, on the place of date of birth, it has been recorded as 6.1.1962 which is apparently clear from the naked eye.

Learned counsel for the petitioner with respect to date of



birth claims on the basis of School Leaving Certificate wherein the date of birth has been recorded as 1962 but, later on, the certificate issued by the concerned school is quite different. Initially the date was recorded as 6.1.1952, any change of date of birth subsequently by manipulation cannot be the basis of date of superannuation.

In that view of the mater, this court is not inclined to interfere in the matter. However, the petitioner, if so advised, may take legal course as is available in law.

With the aforementioned observation, this writ application is dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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