

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24484 of 2013

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Bindeshwar Lal, Son of Late Ram Ratan Lal, Resident of Village/Road No. 20, Qr.
No. 24, Police Station- Gardanibagh, District Patna Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration
Department, Govt. of Bihar, Patna
 2. The Principal Secretary, Human Resources, Govt. of Bihar, Patna
 3. The Secretary, Bihar School Examination Board, Patna
 4. The Headmaster, High School, Shaaraitelpar, Jehanabad at present Arwal
.... .. Respondent/s
- =====

Appearance :

For the Petitioner/s :
For the Respondent/s : Mr. Nawal Kishore Singh, AC to G.P-20
For the Board : Mr. Ajay Behari Sinha, Advocate
Mr. Neeraj Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 05-11-2018

The present writ application has been filed by the
petitioner for a direction to respondent nos. 2 and 3 to make necessary
correction in the date of his birth.

2. The petitioner wants correction in the Matriculation
certificate and entry of his date of birth in the service book. In the
Matriculation certificate his date of birth is shown as 04.01.1954.
Petitioner wants correction as 07.01.1956.

3. The petitioner filed the present writ application for
correction in the date of birth after more than three decades of the
issuance of certificate.

4. No one appeared on behalf of the petitioner. As per
pleading the petitioner is aggrieved by the order dated 03.02.2013. In



view of the fact that for last several dates no one appeared on behalf of the petitioner, the Court has reason to believe that the petitioner has lost his interest in pursuing the present writ application.

5. Considering the fact that at the fag end of his service, the petitioner has made a prayer for correction in the Matriculation certificate, the Court does not find it appropriate to grant any indulgence at this stage. Ordinarily, the matriculation certificates are taken as the basis for determination of date of birth and if the petitioner's date of birth was wrongly mentioned in the matriculation certificate, the petitioner ought to have approached the Bihar School Examination Bihar for correction of the date of birth at the earliest and not at the fag end of the service.

6. Learned counsel for the respondents has drawn the attention of this Court to para 5 of the counter affidavit of respondent no.3 to contend that earlier the petitioner has approached this Court vide C.W.J.C. No. 3821 of 2009, which was dismissed on 18.07.2011.

7. In view of the aforesaid, the Court dies not find any merit in the writ application. It is accordingly dismissed.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2018
Transmission Date	

