

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17415 of 2017

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Satyendra Narayan Singh, son of late Sitaram Singh, resident of village -
Patori, P.O. Panchgachhia, P.S. Bihra (Saharsa), Dist - Saharsa.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Public Health Engineer Department, Govt. of Bihar.
4. The Superintending Engineer, Public Health Engineering Circle, Saharsa.
5. The Executive Engineer, Public Health Engineering Division, Saharsa.
6. The Accountant General (A & E) Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Prabhakar Tekriwal, Advocate Mr. Siyaram Pandey, Advocate
For the Accountant General:		Mr. Anjani Kumar Sharna, Senior Advocate
For the State		Mr. S. Raza Ahamad, A.A.G.-5 Mr. Vishwambhar Prasad, A.C. to A.A.G-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 25-07-2018

Heard learned counsel appearing for the respective parties.

In this case, the petitioner is challenging the order dated 20.12.2016, whereby and where-under the petitioner has been informed that he is going to retire in the month of January, 2017.



In the writ petition, the petitioner has claimed that his date of birth has wrongly been recorded, due to which he has been prematurely retired two years prior to his actual retirement and submitted that his date of birth should properly be corrected.

The State has submitted that at the time of his regularization his date of birth has been shown to be 26.01.1957, Pan Card also shows the same date of birth, in the application for G.P.F. he has given his date of birth as 26.01.1957, inasmuch as, in all the records the date of birth of the petitioner has been recorded as 26.01.1957. So, the plea of the petitioner that has been prematurely retired two years earlier has no leg to stand.

Earlier, this Court has granted time to the petitioner to file rejoinder but he has failed to do so. Number of records have been attached to the counter affidavit, showing his date of birth as 26.01.1957 and he has been superannuated taking this date of birth to be valid for the purposes of his regularization of service as well as his retirement.

In such view of the matter, this Court does not find any merit in this writ petition as this petitioner has superannuated from service. However, the petitioner, if so like,



may file a suit before competent court for redressal of his grievance.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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