

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18525 of 2017

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Raghunath Sah, S/o Late Ramashish Sah, Resident of Mohalla- Prem Chanda
Marg Bihar Hindi Granth Academy, Patna, P.S. New Bahadurpur, Patna at
Present Mohalla- New Jaganpura, P.S. Ramkrishna Nagar, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Human Resources
Development Govt. of Bihar, Patna.
2. The Director Cum Chairman, Bihar Hindi Granth Academy, Prem Chand
Marg, P.S. New Bahadurpur, Rajendra Nagar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the State	:	Smt.Binita Singh, S.C.-28
		Mr. Apurv Harsh, A.C. to S.C.-28
For Respondent No.2	:	Mr. Shantanu Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date : 11-07-2018

Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is challenging the action
of the Bihar Hindi Granth Academy, by which the petitioner has
been made to superannuate from the service claiming to have
reached the age of 62 years.

As per the petitioner he has wrongly been
superannuated from the service as in the certificate which he has
attached at the time of his selection his date of birth was
recorded therein, itself indicates that he has only reached the age



of 59 years, so he has been deprived of service for three years.

From a perusal of the record, it appears that the petitioner had filed an application on 09.11.1976, wherein he himself in the item of experience has declared his experience three years' as daily wager employee in the Bihar Hindi Granth Academy. No one can be appointed below the age of 18 years, in such circumstance, it will be treated that the petitioner had started discharging the duty as daily wager at the age of 18 years, total length of service comes to 44 years. After adding 18 years in total length of service of 44 years, it comes to 62 years. So, on pure mathematical calculation, it appears that on reaching the age of superannuation the Bihar Hindi Granth Academy has superannuated the petitioner, cannot be said to be illegal.

In such view of the matter, this Court does not find any merit in this petition. Accordingly, this writ petition is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	13.07.2018
Transmission Date	N/A.

