

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6462 of 2019

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Saty Narayan Singh @ Satya Narayan Singh @ Saty Narayan Ray, Son of
Yugeshwar Singh @ Yogeshwar Ray resident of Village- Mohiuddinpur, P.S.
Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The Inspector General of Home Guards, Bihar, Patna.
3. The District Magistrate, Vaishali, District- Vaishali.
4. The Superintendent of Police, Vaishali, District- Vaishali.
5. The District Commandant of Home Guards, Vaishali, District- Vaishali.
6. The Company Commander of Home Guards, Vaishali, District Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Respondent/s : Mr. Md. N.H. Khan (SC1)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-04-2019 1. Heard the learned counsel for the petitioner and

the State.

2. The petitioner has challenged the order dated

22.12.2018, contained in Memo No. 77, issued under the

signature of Commandant, Bihar Home-Guards, Vaishali,

whereby the petitioner has been made to retire from service

from 31.12.2018.

3. Learned counsel for the petitioner has drawn the

attention of this Court to the fact that even from the order



impugned in the present petition, it is clearly reflected that in year of appointment (1981), the age of the petitioner was 22 years. By that calculation also, the petitioner will retire only in the year 2019.

4. It is the case of the petitioner that in the matriculation certificate, his date of birth is mentioned as 15.05.1961. He, in that case ought to superannuate only in 2021, after attaining 60 years.

5. The order impugned, it is urged, has been passed in relation to the clamor made by the petitioner for grant of uniform allowance. Even in the Identity-Card, which has been issued in the year 2005 by the office of the concerned respondents indicates his age to be 43 years.

6. Petitioner, under the aforesaid circumstances, is directed to make a representation before the District Commandant of Home Guards, Vaishali (Respondent No. 5) within a period of four weeks, who on receipt of such representation, shall, after verifying all the records including the matriculation certificate and ascertaining the exact date of birth of the petitioner, pass orders in accordance with law



within a further period of four weeks thereafter.

7. If it is found that the petitioner has been made to retire prior to his having attained the age of 60 years, necessary corrective orders shall be passed and the petitioner shall be reinstated in service.

8. With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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