

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15857 of 2019

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Rajeev Kumar Jha S/o Late Arjun Jha, R/V Baijani, P.S. Jagdishpur,
Dist.Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Chief Executive Officer, Bihar Rajya Khadi Gramodhog Board, Gandhi
Maidan, Patna, Road No.22A, Patna-1
3. The Secretary, Bihar School Examination Board, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Respondent/s : Mr. Jitendra Kumar Roy 1 (SC 13)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 26-08-2019

Heard the learned counsel for the parties.

2. The petitioner was made to superannuate from the post of Packer in Khadi Board on 30.06.2019 by taking his date of birth which was entered in the service book as 04.06.1959. An effort has been made by the petitioner to have his date of birth corrected in Bihar School Examination Board certificate.

3. The manner in which the petitioner has proceeded with the process of getting the date of birth corrected speaks about his misconceived plans.

4. The date of birth of the petitioner was entered in the service book on the basis of the certificate of Bihar School Examination Board which recorded his date of birth as 04.06.1959. At the time of preparation of the service book, the column with respect to date of birth was filled as



04.06.1959 which has been signed by the petitioner. At the time of submission of the educational certificate for consideration of the candidature of the petitioner, only photocopy of the certificate of Bihar School Examination Board was furnished. The entry of the date of birth was not visible and therefore after verification from the office of the Bihar School Examination Board, the date of birth was properly entered in handwriting which has been countersigned by the Deputy CEO of the Khadi Board.

5. Learned counsel who appears for the Bihar School Examination Board has also testified to the fact that in the records of the Bihar School Examination Board, the date of birth of the petitioner is entered as 04.06.1959.

6. What has piqued this Court is the dishonest effort on the part of the petitioner to have the date of birth changed on the basis of some entry made with respect to the date of birth in the identity card of the petitioner of an evening college at Bhagalpur as well as in one of the School Leaving Certificates. If at all, the intentions of the petitioner would have been genuine, such effort would have been made in the beginning when he had countersigned the entry in the service book.

7. The petitioner, somehow or the other, was wrongly advised to obtain necessary rectification in the date of birth in the Bihar School Examination Board, for which, as the learned counsel for the petitioner has tried to



impress upon the Court, necessary application also was filed. The application seeking rectification of the date of birth has been filed sometimes in the month of January, 2019, the year in which the petitioner has superannuated.

8. The fact that the petitioner waited for all these years and filed a writ petition before this Court in his retirement year, speaks volumes about his intentions.

9. This Court has taken a very serious view of the matter because it not only relates to making a wrong statement and thereby making the petitioner liable for being prosecuted for perjury but considering that he has superannuated from the post of a Packer in Khadi Board which is a Class-IV post, this Court has refrained from passing any order for further enquiry into the misguided effort of the petitioner in having his date of birth corrected/tenure of service extended.

10. This Court had, on an earlier occasion, cautioned the learned counsel for the petitioner that it would be better for him not to pursue this petition.

11. In any view of the matter, considering the aforesaid facts, the petition is dismissed.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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