

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7704 of 2020

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Bipin Kumar Sinha S/o Late Veda Nand Prasad Sinha R/o Mohalla Mohanpur
Puniachak near Devi Asthan, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
3. The Additional Secretary Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
4. The Joint Secretary Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
5. The Deputy Secretary Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
6. The Chairman Bihar School Examination Board, Bihar, Patna.
7. The Secretary Bihar School Examination Board, Bihar, Patna.
8. The Principal Miller High School, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Singh
	:	Mr.Abhishek Kumar Singh
For the Respondent/s	:	Mr.Manoj Kumar Ambastha
For the Commission	:	Mr.Satyavir Bharti

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 21-09-2020 Following is the relief, which the petitioner is seeking in the present writ application in paragraph 1:-

“That by this application, the petitioner is invoking the writ jurisdiction of this Hon’ble Court for a direction to the respondent No. 5 for not taking any adverse step against the petitioner till the correction in



the date of Birth of the petitioner is made by the respondent No. 6 & 7 as 17.06.1959 in place of 17.06.1957 & further consider the date of Birth of the petitioner as 17.06.1959 in place of 17.06.1957.”

It transpires that he filed two writ applications simultaneously, one giving rise to C.W.J.C. No. 7704 of 2020 and C.W.J.C. No. 7137 of 2020, questioning the correctness of his date of birth as recorded in the certificate issued by the Bihar School Examination Board and second, the present one. C.W.J.C. 7137 of 2020 has been disposed of by an order dated 10.07.2020 with the following direction:-

“Considering the aforesaid, the writ application is disposed of with direction to the Board of summon the Admission Register of Miller School and after summoning the required information, the secretary of the Board will provide opportunity of hearing to the petitioner and thereafter take appropriate decision with regard to controversy as to actual date of birth of petitioner. Entire exercise in this regard must be completed by the Secretary of the Board



*within a period of two months
from the date of
receipt/production of a copy of
this order.”*

Learned counsel appearing on behalf of the petitioner alleged that the petitioner's claim is dependent upon the outcome of the action taken by the respondents in compliance of this Court's order dated 10.07.2020.

Considering the facts and circumstances, this application is disposed of with an observation that the petitioner shall be at liberty to re-agitate his grievance before appropriate forum after decision is taken by the respondents in the light of this Court's order dated 10.07.2020 passed in C.W.J.C. No. 7137 of 2020.

(Chakradhari Sharan Singh, J)

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