

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1699 of 2018

In
Civil Writ Jurisdiction Case No.1680 of 2017

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Ram Adhin Yadav Son of Sri Chamak Lal Yadav Resident of Village-
Kukrupatti. P.S. Babubarahi, District-Madhubani ... **Appellant**

Versus

1. The State Of Bihar
 2. The State of Bihar through the Principal Secretary, Department of Human Resources Government of Bihar, Patna
 3. The Director Secondary Education, Government of Bihar, Patna
 4. The Secretary, BiharSchool Examination Board, Patna
 5. The District Education Officer, Madhubani
 6. The Head Master, Jagdish Nandan High School Babubarhi, Madhubani
- **Respondents**

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Appearance :

For the Appellant : Mr.Gagan Deo Yadav, Advocate
For the Respondents : Mr.Ashutosh Ranjan Pandey- AAG15

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

3 20-01-2020 Heard learned counsel appearing for the appellant as well as learned counsel appearing for the respondent on Interlocutory Application No. 1 of 2019 which has been filed on behalf of the appellant for condonation of delay of 28 days in filing this appeal.

Learned counsel of the appellant submits that the above stated delay is not intentional rather the appeal could not be filed in time as the circumstances were beyond control of the appellant.



On the other hand, learned counsel appearing for the State submits that this appeal does not have merit. Even if the delay in filing this appeal is condoned, there is no possibility for the appellant to succeed on merit. The perusal of the impugned judgment goes to show that the date of birth of the appellant entered in the matriculation certificate as 07.02.1958 and after 39 years of his result of matriculation, he approached this Court for correction of his date of birth.

Learned counsel appearing for the appellant although tried to convince us about the merits of the appeal but we do agree with the submissions of the learned counsel for the State and in our view also, even if the delay in filing this appeal is condoned, then also it would not serve any purpose because the appellant does not have any case even on merit.

Accordingly, this appeal stands dismissed on merit as well as also being time barred.

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

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