

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1358 of 2020

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Ramesh Kumar Singh Son of Late Ram Ekbal Singh Resident of Village-
Basantpur Kakarhata, Police Station- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Home Commissioner Bihar, Patna.
3. The Director General -cum- Commandant General Bihar Home Guards,
Patna.
4. The Commandant (Headquarter) Bihar Home Guards, Patna.
5. The District Commandant, Bihar Home Guards, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : M/s Ajay Kr Singh, Amit Kashyap, Advocates
For the Respondent/s : Mr Md Irshad, AC to SC I

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and the
respondent State.

Learned counsel for the petitioner submits that the
determination in respect of his age of retirement based on the
date of birth contained in Annexure 9 dated 23.07.2019 is
without considering the School Leaving Certificate of the
petitioner issued way back on 17.05.1981 wherein the date of
birth of the petitioner has clearly been recorded as 13th July,
1965.

Whether the said certificate was placed by the
petitioner before the Authorities along with his representation



dated 07.03.2017 is an issue which cannot be determined since the representation dated 07.03.2017 has not been placed on record by the petitioner. There is also no averment in the writ petition that the said certificate has been placed before the Authorities and that the same has not been considered.

In the circumstances, the determination, based on the date of birth supplied by the petitioner at the time of his enrollment, as contained in the impugned order dated 23.07.2019, cannot be faulted.

There is no infirmity in the decision of the Authorities contained in Annexure 9 issued by the Commandant, Bihar Home Guards, Patna

Learned counsel submits that annexing the School Leaving Certificate of 1981, petitioner would be approaching the higher Authorities for consideration of his claim.

In view of such submission and with liberty, as prayed for, writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

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