

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6623 of 2020

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Nathuni Sah Son of Parmeshwar Sah Resident of Village- Bokaha, P.O.-
Salempur, P.S.- Saharghat, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Inspector General Police (Home Guard) Bihar, Patna, Police
4. The Deputy Inspector General Police (Home Guard) Darbhanga Division Darbhanga
5. The Surgent Major of Police (Bihar Home Guard) Police Darbhanga, Division Darbhanga
6. The District Magistrate Madhubani
7. The District Surgent Major (Bihar Home Guard Police) Madhubani
8. The Superintendent of Police, Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Respondent/s : Mr. Manish Kumar (Ac to Gp4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 20-12-2021

Heard learned counsels for the respective parties.

In the instant petition, petitioner has prayed for the following reliefs:

“For issuance of an appropriate writ(s), order(s), direction (s) for quashing the order contained in memo no. 968 dated 26.11.2019 issued by the office of the respondent District Surgent Major Bihar Home guard Madhubani whereby and where under the application/ representation of petitioner regarding correction of date of birth has been rejected on the honest guard that his age has been mentioned as 25 years in the office record ignoring the date of birth mentioned in the school certificate as well as school registered and after quashing the above said order dated 26.11.2019



respondents further be directed to allow the petitioner to continue on his duty as his actual date of birth is 11.07.1965 and to grant any other consequential benefits for which petitioner may found entitled in accordance with law.”

Question of correction of date of birth is to be examined with reference to his initial appointment and within a reasonable period of time. At the fag end of his service, he has made an attempt to get correction of date of birth in the year, 2019-2020.

During pendency of the present petition, respondents have issued an order rejecting the petitioner’s claim on 16.02.2021. Apex Court, time and again held that belated correction of date of birth of an employee should not be entertained.

In the light of the principle laid down by the Apex Court and the fact that petitioner intends to correct his date of birth at the fag end of his service. The same cannot be entertained.

Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

Gaurav Kumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

