

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18997 of 2021

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Vidya Nath Prasad Son of Late Kahlipha Rai, Resident of the Village-Jalalpur, P.O.-Rasalpura, P.S.-Doriganj and the District-Saran, Presently Posted the Post of Sub Inspector of Police, Town Police Station, Saran at Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Department of Home, Govt. of Bihar, Old Secretariat, Govt. of Bihar, Patna (Bihar).
2. The Director General of Police, Old Secretariat, Govt. of Bihar, Patna (Bihar).
3. The Inspector General of Police, Muzaffarpur, I.G. Range North Bihar, District-Muzaffarpur I.G. Range North Bihar, District-Muzaffarpur.
4. The Deputy Inspector General of Police, Saran at Chhapra, District-Saran.
5. The Superintendent of Police, Saran at Chhapra, District-Saran.
6. The Superintendent of Police at Siwan, District-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad (Sc8)

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

Date : 09-12-2021

Heard learned counsels for the parties.

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

“That through the present writ application, the petitioner has challenged the Retirement order bearing Saran Ziladesh No. 2062/2021 and memo No. 7017 dated 01.10.2021 issued under the signature of the Respondent No. 05 whereby and where under the actual date of birth of the petitioner has been disputed as 26.11.1961 whereas he documentally claims that his date of birth is 26.11.1962 i.e. mentioned in his matriculation certificate and on the basis of it, he had been selected and appointed to the post of constable on 08.12.1981 vide the Saran Ziladesh No. 2062/2021 bearing the Memo No. 7017 dated 01.10.2021 as an annexure to the petition.”



Brief facts of the case are that petitioner was appointed as a constable on 26.12.1981. According to him, date of birth in the matriculation certificate is 26.11.1962, whereas the date of birth of the petitioner in the service book, it has been recorded 26.11.1961. He has earned promotion to the post of Head Constable, Assistant Sub Inspector and Sub Inspector. Therefore, the petitioner had come across his date of birth in various documents like a seniority list and other documents.

The petitioner intends to rectify the date of birth from 26.11.1961 to 26.11.1962 with reference to entry made in the matriculation certificate at the fag end of service. The Apex Court time and again held that in respect of date of birth employee/Government servant, he must approach the concerned authority at the earliest point of time and not at the fag end of service.

In the light of these facts and circumstances of the case, the petitioner's grievance relating to correction of date of birth in the service record cannot be redressed at the fag end of his service.

Accordingly, the petition stands dismissed.

(P. B. Bajanthri, J)

Gaurav Kumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

