

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19611 of 2019

=====

Kamleshwar Prasad Singh S/o Sri Teni Singh Resident of Kasina, P.O.-
Gohpur, Garkha, P.s.- Garkha, Distt.- Saran at Chhapra

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Jawahar Lal Nehru Marg, Rajbanshi Nagar, Patna
2. The Director General of Police, Jawahar Lal Nehru Marg, Rajbanshi Nagar, Patna
3. The Inspector General of Police Muzaffarpur Range, Sutapatti, Pokhrai, Muzaffarpur
4. The Superintendent of Police Muzaffarpur
5. The Secretary Bihar School Examination Board, Sinha Library Road, Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh
For the Respondent/s : Mr. P.K.Verma (Aag3)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT

Date : 07-01-2021

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Respondents.

2. The present writ application has been preferred by the petitioner for quashing Office Order No. 108 of 2018 passed by Inspector General of Police, Muzaffarpur Range, Muzaffarpur whereby he was declared as superannuated from service from 31.03.2018 with a direction to make payment of retrial dues to the petitioner and also treating the aforesaid period as date of retirement.

3. However, at the outset learned counsel for the



respondents raised objection about the maintainability of the writ application and submitted that the writ is not maintainable and fit to be dismissed in view of the fact that writ petitioner has earlier filed C.W.J.C. No. 8983 of 2017 for the same relief i.e., for correction of date of birth as 17.03.1960 in place of 17.03.1958 which was dismissed vide order dated 04.12.2018 and which further stood rejected vide order passed in L.P.A. No. 07/2019 (Annexure-7 and 8 to the writ petition).

4. On perusal of Annexures No. 7 and 8 appended to the writ application, it is evident that for the similar relief, petitioner has earlier moved before this Hon'ble Court which has attained finality vide order dated 16.04.2019 passed in L.P.A. No. 7 of 2019.

5. In view of the aforesaid facts and circumstances, this writ petition is dismissed on the ground of *res judicata*.

(Prabhat Kumar Singh, J)

Saif/-

AFR/NAFR	
Uploading Date	11.01.2021

