

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15658 of 2023

Shobha Devi, Female Aged about 51 Years, W/o Late Dashrath Ram, R/o Bihta NP, P.S. Bihata, Distt. - Patna. Petitioner/s

Versus

1. The Union of India through, the General Manager, East Central Railway, Hajipur, P.S. Hajipur (Town), District Vaishali, Bihar. PIN 841001
 2. The General Manager, East Central Railway, Hajipur P.S. Hajipur (Town), District Vaishali, Bihar. PIN 844118.
 3. The Divisional Railway Manager, East Central Railway, Danapur, District Patna PIN 801105.
 4. The Chief Medical Superintendent, East Central Railway, Danapur, Patna, PIN 801105.
 5. The Chief Health Inspector, East Central Railway, Patna Junction, Patna, PIN 80001.
 6. The Accounts Officer, East Central Railway, Danapur, Patna, PIN 801105.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dinkar Kumar, Advocate Mr. Santosh Kumar, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar Sinha, CGC

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 29-03-2024

The present petition is filed by Shobha Devi who is wife of deceased-Dashrath Ram. Deceased-Dashrath Ram was a railway employee. He had joined service on 01.01.1991. His date of birth has been recorded as 10.10.1962 in the service register. His grievance was to alter the date of birth from 10.10.1962 to 01.01.1971. Such grievance was raked up in the year 2023 in filing Original Application No. OA/050/162/2023. Time and again, Hon'ble Supreme Court has held that date of birth of an employee or an officer of the Government Department or organization was



required to be rectified at the earliest point of time as and when such employee join service. In the present case, deceased-Dashrath Ram had cause of action in the year 1991 as and when he had joined service on 01.01.1991, at the best three years time is taken into consideration for the purpose of filing suit, he had cause of action in the year 1994 on the other hand Original Application was filed in the year 2023. Moreover, during pendency of litigation deceased-Dashrath Ram had died and his legal heirs, wife-Shobha Devi has presented this petition.

2. Taking note of these facts and circumstances, petitioner has not made out a case so as to interfere in the order dated 03.03.2023 passed in OA/050/162/2023 by the Central Administrative Tribunal, Patna Bench, Patna. Except para-5, i.e., O.A. dismissed with cost of Rs. 2,000/-. Para-5 is set aside for the reasons that the present writ petition is filed by the legal representative of deceased-Dashrath Ram. Accordingly, the present writ petition stands dismissed.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

(Alok Kumar Pandey, J)

