

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2091 of 2021**

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Brijbihari Singh son of Late Ganga Singh resident of Village- Aganuchak  
(Pritampur), P.O.- Chandi, P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General, (Home Guard) Bihar, Patna.
2. The District Commandant, Bihar Home Guard, Bhojpur.
3. The Commandant General, Bihar Home Guards Bihar, Patna.
4. The Deputy Superintendent of Police (Home Guard) Bhojpur at Ara.
5. The S.H.O. Police Station Charpokhari, Bhojpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ashwani Kumar Tiwary  
For the Respondent/s : Mr.Lalit Kishore ( Ag )

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

**Date : 25-01-2022**

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has sought for following reliefs:

“1. That this is an application for issuance of a writ in the nature of certiorari for quashing the letter No. 717 dated 20.07.2020 issued under the signature of the District Commandant, Bihar Home Guard, Bhojpur whereby and where under without considering the material on the record of the case the date of birth of petitioner has illegally been reassessed as 01.01.1961 where as the actual date of birth of petitioner as per schooling certificate is 01.01.1963 and further directing the respondents to make rectification



in the date of birth of petitioner as 01.01.1963 in place of his wrong date of birth 01.01.1961 as reassessed by the respondents and/or pass any other relief/reliefs in the facts and circumstances of the case.”

3. The petitioner joined service in the year 1982. His grievance is for correction of date of birth from 01.01.1961 to 01.01.1963 in the service record. The petitioner was aware of the date of birth entered in the service record i.e. 01.01.1961. The reasonable period for correction of date of birth would be three years. Apex Court time and again held that employees are not entitled to get their date of birth altered at the fag end of their service.

4. Therefore, on the ground of delay and laches in seeking correction of date of birth as 01.01.1963 is impermissible in the light of Apex Court’s decision.

5. Accordingly, the instant petition stands dismissed.

**(P. B. Bajanthri, J)**

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Uploading Date	
Transmission Date	

