

Central Administrative Tribunal, Principal Bench

Original Application No. 1872 of 1996

New Delhi, this the 4th day of May, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)  
Hon'ble Mr. Kuldip Singh, Member (J)

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A. Manickam  
S/o Shri Aladiyan  
aged 40 years  
R/o C-II, External Affairs Hostel  
Kasturba Gandhi Marg,  
New Delhi-110 001. - Applicant

(By Advocate - Sh. D.C. Vohra)

Versus

Union of India through  
The Foreign Secretary,  
Government of India,  
Ministry of External Affairs,  
South Block,  
New Delhi-110 011. - Respondents

(By Advocate - Shri N.S. Mehta)

O R D E R (ORAL)

By Hon'ble Mr. S. R. Adige, Vice Chairman(A)

1. Applicant seeks a direction that his actual date of birth is 8.8.56 and not 5.8.54.

2. We have heard applicant's counsel Shri D.C. Vohra and respondents counsel Shri N.S. Mehta.

3. We note that applicant, who is an IFS officer of 1980 batch had represented to respondents on 30.7.82 (Annexure A-6) for ~~post~~<sup>made</sup>-dating his date of birth, which was ~~not~~ within 5 years of his entry into Government service as provided in sub-para (a) to Note 5 of FR 56, but the aforesaid representation has not been disposed of by respondents by a speaking order as yet. The only reply given to the applicant in response to his aforesaid representation is the one

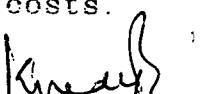
contained in respondents' letter dated 28.2.84 (Annexure A-8), in which applicant had been asked to approach the educational authorities to get his date of birth corrected in the School Leaving Certificate. (11)

4. We hold that before we call upon to adjudicate in this matter, respondents themselves should in the first instance examine applicant's claim for <sup>? ~~post~~</sup>-dating his date of birth in official records and pass a detailed, speaking and reasoned order in accordance with rules and instructions within 3 months from the date of receipt of a copy of this order.

5. If any grievance survives thereafter, it will be open to applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

6. The O.A. stands disposed of accordingly.

No costs.

  
(Kuldip Singh)  
Member(J)

  
(S.R. Adige)  
Vice Chairman(A)

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