

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

(2)

O.A. NO.2130/94

New Delhi, this the 17th November, 1994

Hon'ble Shri J.P. Sharma, Member(J)

Shri Anand Prakash Sharma,  
Track Supply Officer-I,  
Room No.440, Northern Railway  
Headquarters,  
Baroda House,  
New Delhi.

... Applicant

By Advocate: Shri Imtiaz Ahmed

Vs.

Union of India  
through the  
General Manager,  
(P) Northern Railway,  
Baroda House,  
New Delhi.

... Respondents

By Advocate: None

ORDER (ORAL)

The applicant is a Track Supply Officer and has the grievance that his actual date of birth is 7.9.1938 but his recorded date of birth is 2.7.1937 which is on the basis of the certificate issued on passing the High School Examination, 1954 by the High School and Intermediate Education, U.P. in the year 1955.

2. The applicant joined the service in 1959 in the Railways. At the fag end of his service career he now takes the plea that he was unaware of the recorded date of birth in the service records and learnt about the actual date of birth recently on which he filed the representation, which was disposed of by the respondents by the order <sup>of rejection</sup> dated 6.10.94.

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3. The relief claimed by the applicant in this application is that date of birth be corrected to 7.9.38 from 2.7.37. I find that this application is totally devoid of merit and does not make out a prima facie case. The reliance <sup>has been</sup> placed by the learned counsel for the applicant in the case of Secretary and Commissioner, Home Department & Ors. V. R. Kirubakaran reported in JT 1993(5) S.C. 404. I have considered the ratio of this case. The contention of the learned counsel for the applicant is that the applicant has documents to support its correct date of birth on the basis of Municipal record. That the applicant has given the date of birth <sup>while joining the service in 1959</sup> while appeared in the High School Examination which should normally be the date existed at the time of his entry in the school now cannot be interfered with. The order of the respondents therefore in any case cannot be said to be illegal, irregular or unjustified. The application is therefore dismissed at the admission stage.

*J. P. Sharma*

(J.P. SHARMA)  
Member (J)

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