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Central Administrative Tribunal
Principal Bench: New Delhi

OA NO.1849/94

New Delhi this the 2nd Day of November, 1994.

Sh. J.P. Sharma, Member (J)
Sh. B.K. Singh, Member (A)

Dr. K.L. Chadha son of
Late Sh. Girdhari Lal Chadha,
R/o C-II/91, Moti Bagh,
New Delhi.

...Applicant

(By Advocate Sh. Shyam Babu)

Versus

1. The President, Indian
Council of Agricultural Research,
Krishi Bhawan, New Delhi.
2. Indian Council of Agricultural
Research through its
Director (P),
Krishi Bhawan, New Delhi. Respondents

(By Sh. Jayant Dass, Sr. Advocate with Sh. Rajiv
Vipin Nair, counsel)

ORDER(ORAL)

Mr. J.P. Sharma, Member (J):-

The applicant has a grievance against the order dated 17.8.94 annexed as Annexure 'A' to the application informing the applicant that his date of birth which has been altered to 15.11.36 from 15.7.35 by an office order dated 13.3.88 is being reconsidered as earlier order was passed without approval of the competent authority. This order further states that the request for change of his date of birth is being examined afresh as per rules and the date of birth originally recorded as 15.7.35 shall remain as the date of birth in service records.


2. In the Original Application, besides praying for quashing this order and for a direction to the respondents to treat the date of birth of the applicant as 15.11.36, it was also prayed that a direction be issued to consider the applicant for the post of Director General-cum-Secretary (DARE) fixing the age for the post of Director General at 60 years.


3. Notice was issued to the respondents and they have filed their reply on record. In the meantime, the applicant has also been considered for the post of Director General-cum-Secretary but he has not been favoured with any selection. As stated above, regarding this prayer it is allowed by the administration itself and the application, therefore, becomes infructuous in that regard.

4. Regarding relief 'a' the matter is under consideration with the respondents.

5. In view of the above facts and after hearing Sh. Shyam Babu, learned counsel for the applicant, we are not giving any expression on merit and we direct the respondents to finalise the case of the applicant for correction of date of birth keeping in mind the earlier order of 13.3.88 and pass an order within two months from the date of receipt of this order, conveying the same to the applicant. In case the applicant is still aggrieved, he shall have a right to assail the same on the same and similar ground which he has already taken in this application. The learned counsel for the respondents have also been heard and they have no objection and it is expected that the time period allowed shall be adhered to by the respondents.

6. The O.A. is disposed of accordingly, with no order as to costs.


(B.K. SINGH)
Member(A)


(J.P. SHARMA)
Member(J)

'Sanju'