

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 554
T.A. No.

198 6.

DATE OF DECISION 29.7.1986.

Shri Lashkar Singh, Petitioner

S/ Shri J.S.Bali & R.L.Sethi, Advocate for the Petitioner(s)

Versus

Union of India, Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or-not? *Yes*
3. Whether their Lordships wish to see the fair copy of the Judgement? *no*
4. Whether to be circulated to other Benches? *Yes*

K. Madhava Reddy
(K.Madhava Reddy)
Chairman 29.7.86.

Kaushal Kumar
(Kaushal Kumar)
Member 29.7.86.

2

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN NO. OA 554/86.

July 29, 1986.

Shri Lashkar Singh

Petitioner.

Vs.

Union of India

Respondent.

CORAM:

Shri Justice K. Madhava Reddy, Chairman.

Shri Kaushal Kumar, Member.

For petitioner

Shri J.S. Bali, Counsel
with Shri R.L. Sethi, Counsel

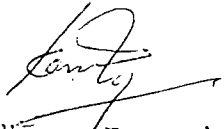
(Judgment of the Bench delivered by
Shri Justice K. Madhava Reddy, Chairman)

This is a petition to correct the petitioner's date of birth in the Service record and substitute the present entry 29.7.1928 by 3.6.1931. As per the entry in the service Register the petitioner is due to retire on attaining the age of superannuation on 31.7.1986. Just two years before his retirement he moved the authorities on the strength of a School Leaving Certificate issued on 4.8.1984 for correction of his date of birth. That inquiry is still pending. As that inquiry is pending, we do not wish to make any observation in regard to the petitioner's claim. Suffice for the present to hold that when the petitioner himself has taken over 36 years to make his representation, he cannot find fault with the respondents for not disposing off his claim by now. After all that requires an inquiry and that is still pending. We do not, therefore, see any reason to entertain this petition.

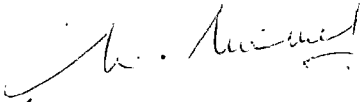
The petitioner has prayed for an alternative relief that the Tribunal may accept the date of birth of the applicant as recorded in the school records as



3.6.1931. The authenticity of the School record itself would have to be established before it can be acted upon. That inquiry is already pending with the respondents. This alternative prayer also cannot, therefore, be granted. Since the inquiry is already pending, the petitioner may seek such a relief as he may be entitled by law if that enquiry results in an unfavourable order. In the result this petition fails and is accordingly dismissed.


(K. Madhava Reddy)
Chairman

29.7.86.


(Kaushal Kumar)
Member

29.7.86.