

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. O.A. 1052 / 1986
T.A. No.

DATE OF DECISION 28.11.1986.

Shri Ram Prashad Petitioner

Shri Atul Wig Advocate for the Petitioner(s)

Versus

Publications & Information Respondent

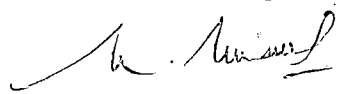
Directorate, New Delhi and
another. Advocate for the Respondent(s)

CORAM :

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

The Hon'ble Mr. Kaushal Kumar, Member (A).

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


(KAUSHAL KUMAR)
MEMBER (A)
28.11.1986


(K. MADHAVA REDDY)
CHAIRMAN
28.11.1986.

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

O.A. 1052/86

28.11.1986.

Shri Ram Prashad

....

Applicant.

V/s.

Publications & Information
Directorate, New Delhi and
Another

....

Respondents.

For applicant

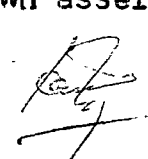
Shri Atul Wig,
Advocate.

CORAM: Hon'ble Mr. Justice K. Madhava Reddy, Chairman.
Hon'ble Mr. Kaushal Kumar, Member.

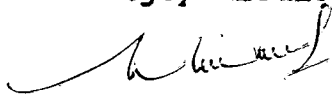
(Judgment of the Bench delivered by Hon'ble
Mr. Justice K. Madhava Reddy, Chairman.)


The applicant's date of birth as entered in his service records is 16.11.1926 and in view of his attaining the age of 60 years, which is the age of superannuation, he would retire from service on 30.11.1986. Now on the eve of his retirement, in this application under Section 19 of the Administrative Tribunals Act, 1985, he seeks to get his date of birth changed on the ground that he came to know that his date of birth was so entered in his service records, for the first time only in December, 1984.

2. The applicant seeks correction of his date of birth as 14th April, 1930. His representation to that effect was considered by the competent authority and was rejected on 13th November, 1986. Neither before the aforesaid competent authority nor now before us has he produced any authentic evidence to correct the date of birth, which has been entered in his service records and stood unchallenged for the last 36 years. The only document which is worth mentioning is a photostat copy of an extract copy of the Birth and Death Register of the Municipal Board, Bulandshahar. That extract was obtained on 7th October, 1985. According to that extract, a male child was born to one Ganga Sahai S/o Nathu residing at Sheikh Sarai on 14.4.1930 and that birth was reported on 15.4.1930. There is no mention of the applicant's name therein. Even according to the applicant's own assertion,



he had two other brothers. Until extracts in respect of all the brothers are produced and it is further established that this particular entry relates to the applicant and not to any of his other brothers, it cannot be accepted that the child reported to have been born on 14.4.1930 was the applicant. The other document which the applicant relies upon is an affidavit of one Shri Sri Ram S/o late Shri Behari Lal. In that affidavit, the deponent has stated that the correct date of birth of the applicant is 14.4.1930 and that he was present at the time of the applicant's birth. Though the applicant says that the age of the said deponent is 76 years, there is no averment in the affidavit to that effect. The deponent himself does not state in the affidavit that he is 76 years of age. Assuming that he is of that age, his statement that the date of birth of the applicant is 14.4.1930 cannot be accepted, since it is not stated as to on what basis he has given that to be the correct date of birth of the applicant. He does not give even the particulars of the applicant's family and his parents to lend credence to his averment. We find no overwhelming or clinching evidence to hold that the order rejecting the applicant's request that his date of birth is 14.4.1930 and not 16.11.1926 as entered in the service records is erroneous and deserves to be quashed. This petition, therefore, fails and is accordingly dismissed.


(KAUSHAL KUMAR)
MEMBER
28.11.1986.


(K. MADHAVA REDDY)
CHAIRMAN
28.11.1986.