

(S.C.)

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, DELHI.

Regn. No. RA 30 of 1989 in OA 597/87

Date of decision: 24.4.1989

Shri Makhan Singh

....

Applicant

Vs.

Union of India

....

Respondents

Review petition No. 30 of 1989 in OA No. 597 of 1987 has been filed against the orders of this Tribunal passed in the above O.A. on 24.2.1989 on the grounds that the date of birth of the applicant was determined on the basis of the medical examination and the orders retiring him on 30.9.1986 should be withdrawn as he had a right to continue in service till the age of superannuation.

2. According to the applicant, there has been miscarriage of justice on account of mistake and error apparent on the face of the record and non-appreciation of the requirement of the rules and facts at the time of hearing.

3. The orders in the original application were based on the fact that the date of birth in the service record which had not been challenged could not be altered at the fag end of one's career unless there was an overwhelming evidence in support of the correct date of birth. There was no evidence to indicate that the date of birth was written in the service record on the basis of a medical examination, but the service records were considered as reliable and on that basis the application was rejected. There is no apparent error of law in this case which requires reconsideration. The Review Application is rejected.

B.C. Mathur
(B.C. Mathur)
Vice-Chairman