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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA NO.1090/90

DATE OF DECISION: 8.8.1990.

SHRI WAZIR SINGH

APPLICANT

VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

SHRI P.H. RAMCHANDANI

ADVOCATE FOR THE RESPONDENTS

CORAM:

THE HON'BLE MR. D.K. AGRAWAL, MEMBER (J)

THE HON'BLE MR. P.C. JAIN, MEMBER (A)

J U D G E M E N T (ORAL)

(Delivered by the Hon'ble Mr. D.K. Agrawal, Member(J))

This application under Section 19 of the Administrative Tribunals Act, 1985 relates to date of birth. The date of birth as recorded in the service ^{record} is 15.6.1932 on the basis of the High School Certificate. The applicant ^{was} recruited as Lower Division Clerk on 26.10.1956 and retired on 30.6.1990 from the post of Personal Assistant in the Ministry of Law, Department of Legal Affairs, New Delhi. The change in the date of birth is being sought on the basis of an extract of birth register, copy of which was obtained in the year 1953. The matter for change of

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date of birth was agitated for the first time in June, 1988 which was rejected by the competent authority in December, 1988. The application was, however, filed on 25.5.1990 ^{with the prayer} for condonation of delay.

2. We have heard the applicant in person and perused the pleadings. The learned counsel for the respondents has also been heard. The date of birth in the service record recorded on the basis of a declaration made by the applicant is more or less sacrosanct in law, particularly when the same is based on and authenticated by a High School Certificate. The delay in seeking the change is also very significant. The applicant entered in service in the year 1956 and challenged the recorded date of birth only in the year 1988. The interesting part of the story is that the applicant is seeking change in the recorded date of birth on the basis of an entry in the extract of birth register of Municipal Board, copy of which was obtained in the year 1953 as mentioned above. Thus, no more reasons are necessary to be assigned to reject this application. The application is accordingly rejected with no orders as to the costs.

Clean
(P.C. JAIN) 8/8/90
MEMBER(A)

D.K. Agrawal
(D.K. AGRAWAL) 8.8.90
MEMBER(J)