

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 23/1991&MP 197/91~~199~~  
T.A. No.

DATE OF DECISION 18.1.1991

Shri Ami Chand Petitioner  
 Shri J.N.Verma, Advocate for the ~~Petitioner(s)~~ APPLICANT  
 Versus  
 Union of India & ors. Respondents  
 Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. P.K.KARTHA, VICE CHAIRMAN (J)

The Hon'ble Mr. D.K.CHAKRAVORTY, MEMBER (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

ORDER

(ORDER OF THE BENCH DELIVERED BY HON'BLE MR.D.K.  
 CHAKRAVORTY, MEMBER)

Heard the learned counsel of the applicant on Misc. Petition No.197/91. The prayer contained in this Misc.Petition is for early hearing of the Original Application 23/1991. The learned counsel of the applicant states that after the filing of the Original Application he has received the extract of the High School Examination Certificate from Allahabad Education Board. The prayer contained in the Original Application is that the respondents be directed not to retire the applicant before 30.6.1991 as his correct date of birth as per the extract from High School Certificate is 13.6.1933. The date of birth of the applicant as entered in the service record is 2.1.1933.

2. The application was filed in the Tribunal on 31.12.90. On 4.1.91, notice was directed to be issued to the respondents

returnable on 2.5.1991. The learned counsel of the applicant states that in view of the evidence, now procured by him, the respondents should consider his request for change in the date of birth. He further states that a copy of the extract of the High School Certificate, duly attested, has been given to the respondents for their consideration.

3. After hearing the learned counsel of the applicant, we dispose of the present application without waiting for the counter to be filed by the respondents with the observation that the respondents shall consider the case of the applicant in the light of the extract of the High School Examination Certificate submitted by him and take their decision as expeditiously as possible but in no event later than one month from today's date.

4. In case the applicant feels aggrieved by the decision taken by the respondents, he will be at liberty to file a fresh application in the Tribunal in accordance with law, if so advised.

5. The application stands disposed of with the above observations. There will be no order as to costs.

6. A copy of this order be issued to the respondents immediately.

*(Signature)*  
(D.K.CHAKRAVORTY)  
MEMBER 18-1-1991

*(Signature)*  
(P.K.KARTHA)  
VICE CHAIRMAN