

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.2976/92

Date of Decision:27.08.1993

Shri Mohinder Singh Etton
Versus

Applicant

Union of India

Respondents

Shri G.D. Bhandari

Counsel for the applicant

Shri J.C. Madhan, proxy counsel for
Shri P.H. Ramchandani,

Counsel for the respondents.

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SINGLE BENCH JUDGEMENT(Oral) (delivered by Hon'ble Member Mr. C.J.ROY)

The applicant retired as Section Officer from the Department of Economic Affairs, Ministry of Finance. He applied for change of date of Birth from 5.2.34 to 23.1.36 and sent a representation dated 21.10.91 vide Annexure A-3. This representation was rejected by the respondents on the ground that he approached ^{at the belated} stage for correction of date of birth. Therefore, under Rule FR 56 it was dismissed. The applicant falls under category of persons who are recruited prior to 1979. Note 6 below FR 56 states that it is prospective since 1979. The point of limitation cannot be taken up to those who are already recruited prior to 1979. Since both the parties agree that the case can be disposed of with a direction, I proceed to do so.

2. The respondents are directed to dispose of the representation of the applicant on merits as per the existing rules overlooking the point of limitation. This exercise shall be completed within a period of three months from the date of communication of this order.

3. Interim order already passed is directed to be continued till the disposal of the representation of the applicant within three months or earlier, if they so choose.

With this direction, the OA is disposed of. No costs.

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W.S. Roy
(C.J.) ROY
MEMBER (J)
27.08.1993