

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.605/93

DATE OF DECISION 19.7.93

Sh. Har Parshad ... Applicant

v/s

U.O.I. & Ors. ... Respondents

FOR THE APPLICANT Sh.S.S.Tiwari, counsel

FOR THE RESPONDENTS Sh.Pritbha Mittal, proxy counsel  
for Sh.K.C.Mittal, counsel

CORAM

Hon'ble Member Sh.B.S.Hegde, Member (J)

(ORAL/JUDGEMENT)

Delivered by Sh.B.S.Hegde, Member (J)

Heard the arguments of both the  
counsel and perused the judgement in OA No.2294/91  
dated 13.12.1991 where it is observed as under:-

"In case, the rules/instructions/  
precedents permitted at that time  
intake of a person as Peon in  
Government service even at an age  
below 18, the date of birth of the  
applicant should be changed from  
1-7-1936 to 1-7-1939".

Learned counsel for the respondent submits that  
their in ~~the~~ counter (Paras 4.3 and 4.19) respondents  
have given that they have precedents to grant  
appointment earlier than 18 years of age and  
that this case cannot be disputed on this  
account.

Learned counsel for the applicant has  
prayed for setting aside the impugned order  
(dated 28-7-92) which passed subsequent to  
the decision of this Tribunal. 60

In view of the averment made in  
the counter reply filed by the department.,  
and keeping <sup>in view</sup> of the Division Bench decision's,  
I am convinced and <sup>accordingly</sup> direct the respondent to  
change the date of birth of the applicant  
from 1-7-86 to 1-7-1939 within two months  
from the date of receipt of a copy of  
this order.

Accordingly, OA is disposed of.

  
(B.S. HEGDE)  
MEMBER(J)