

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 // 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. 6

In view of the averment made in
the counter reply filed by the department.,
and keeping ^{in view} of the Division Bench decision's,
I am convinced and ^{accordingly} 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, DA is disposed of.


(B.S. HEGDE)
MEMBER (J)