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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

Original Application No. 227 of 1996

Allahabad this the 29th day of February, 1996

Hon'ble Dr. R.K. Saxena, Member (Judicial)
Hon'ble Mr. Drs. Baweja, Member (Admn.)

Sobha Ram (Syce) Pass No.414, Remount Training School and Depot Saharanpur R/o Village and Post Sadak Dudali, District Saharanpur.

APPLICANT.

By Advocate Sri L.N. Pandey.

Versus

1. Union of India through the Ministry of Defence, Central Secretariat, New Delhi.
2. Commandant, Remount Training School and Depot, Saharanpur.
3. Army Head Quarter, B.C. Core, New Delhi.

RESPONDENTS.

ORDER (Oral)

By Hon'ble Dr. R.K. Saxena, Member (J)

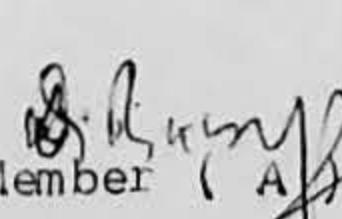
This is the case filed by Sri Shobha Ram for correction of his date of birth. The contention of the applicant is that he entered into service long back and at the time of entry in the service under the respondents, his date of birth was recorded as 06.3.1936. According to his contention, the actual date of birth is 07.2.1940. He made a representation on 26.10.1995 and also furnished the extract of

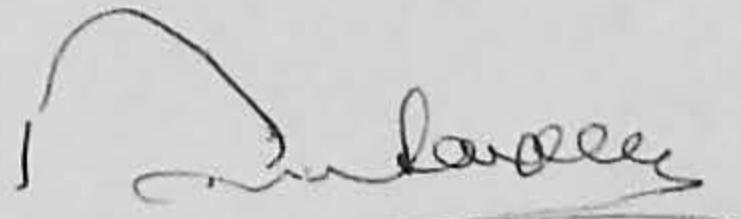
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Parivar Register in which the date of birth is recorded as 07.2.1940. He also filed an affidavit in support of his representation. It appears that the notice was also issued on his behalf which was replied by the Col. Commandant and the request of correction of date of birth was turned down. Hence, this O.A.

2. We have heard the learned counsel for the applicant Sri L.N. Pandey at the stage of admission itself. Sri Pandey relies on 'Ram Janam Vs. Union of India and Others 1991 U.P.L.B.E.C. page 100' in which it was held by the Allahabad Bench of the Tribunal that when there was dispute with regard to the date of birth, necessary inquiry should have been made. Their Lordships of Supreme Court in 'Burn Standard Co.Ltd. and Others Vs. Dina-bandhu Majumdar & Anr. 1995(4) 1 S.C. 23' , held that -- correction of date of birth cannot be allowed at the fag end of service. It is further laid down in the case that the entry made in the Service Book at the time of joining, shall be deemed final~~ly~~. In view of the latest decision of Hon'ble Supreme Court, this O.A. is not maintainable and accordingly it is rejected. No order as to costs.


Member (A)


Member (J)

/M.M./