

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Original Application No. ✓ 1249/97  
Transfer Application no.

Date of Decision 27-2-98

Chhangu Singh

Applicant(s)

Counsel for the Applicant S. P. K. Singh Counsel for the  
Applicant(s)

VERSUS

Chhangu Singh, Union of India & others

Respondent(s)

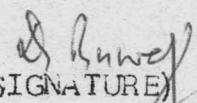
Counsel for the  
Respondent(s)

CORAM

Hon'ble Mr. D. S. Bawej A.M.

Hon'ble Mr.

- 1.
1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether their Lordship wish to see the fair copy of the judgment ?
6. Whether to be circulated to all Benches ?

  
(SIGNATURE)

PIYUSH/

(3)

RESERVED

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

—  
DATED : THE 27<sup>th</sup> DAY OF FEBRUARY 1998

—  
CORAM: HON'BLE MR. D.S.BAWEJA, A.M.

—  
ORIGINAL APPLICATION NO.1249 OF 1992

Chhangur Singh son of Sri Kapil Dee Singh  
resident of House No.71/2, Vijai Nagar,  
Police Station - Kakadeo, District Kanpur Nagar.

.... Applicant

C/A Shri P.K.Singh,

Versus

1. Union of India through Ministry of Defence, New Delhi.
2. Director General, Ordnance Factories Board 6th, Esplanade, East Calcutta.
3. General Manager,  
Small Arms Factory, Kanpur Nagar.

.... Respondents

ORDER

BY HON'BLE MR.D.S.BAWEJA, A.M.-

This application has been filed making a prayer to quash the order dated 18.9.1997 and also/direct the respondents to continue the applicant in service on the basis of his real date of birth as ~~on~~ 24.11.1939.

2. The applicant is working in the Small Arms Factory.

Kanpur Nagar. The applicant submits that as per the impugned order dated 18.9.97/ is being retired from service on 30.4.98 while/his correct date of birth of 24.11.39, as per he should retire on 30.11.99. The applicant made a representation for correcting his date of birth based on the school leaving certificate in 1995 and the same was rejected by the order dated 2.5.95. Thereafter he made another representation which was also rejected as per order dated 9.6.95. On issue of the impugned order dated 18.9.97, the present application has been filed on 18.11.98.

3. From the facts of the case, it is noted that the applicant made representation for change of date of birth at the fagend of his service and the representations made for the same were rejected on 2.5.96 and 9.6.95. Thereafter the applicant kept quiet and agitated the matter for legal remedy only when the date of retirement as per the impugned order was notified based on the recorded date of birth. The applicant has not come out with any evemants/as to why the present application has been filed after more than two years/having been rejected. During hearing/the when questioned counsel for the applicant/on the point of limitation the counsel for the applicant could not advance any reasons for delay in agitating the matter.

4. Considering the above facts, I am of the opinion that the present O.A. is barred by limitation and deserves to be dismissed without going into the merits. The O.A. is accordingly dismissed in limine as being barred by limitation.

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*D. L. Roy*  
MEMBER (A)