

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 975 of 1998

Allahabad this the 06th day of November, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Enjana Devi, aged about 48 years, Widow of
Late Shri Sheetal Prasad, R/o House, No.369,
Barra, Janata Nagar, Kanpur City.

Applicant

By Advocate Shri Rakesh Verma

Versus

1. Union of India through the Secretary,
Ministry of Defence, New Delhi.
2. The General Manager, Ordnance Equipment
Factory (Quila), Kanpur.

Respondents

By Advocate Shri Ashok Mohiley

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Smt. Enjana Devi entered in respondents establishment on 03.10.1977 and as per her service record, her date of birth has been mentioned as 29.9.1942. When she came to know that the entry is erroneous ^{being} against the fact that her actual date of birth is 29.9.1950, she moved the departmental authorities, but her prayer was

not favourably entertained and refused, therefore, she has come up before the Tribunal on the strength of calculation of date of birth as per her horoscope, copy of which has been annexed as annexure A-2 to the O.A.

2. The respondents have contested the case and filed the counter-reply with the specific mention that the referred horoscope is a got up document, therefore, cannot be relied upon as evidence to ascertain date of birth of the applicant. The respondents have also filed the Workman's Record of Service relating to the applicant, which mentions her date of birth as 29.9.1942 with a foot note ⁱⁿ ~~the~~ handwriting of the applicant to the fact that she is illiterate lady and has no proof of date of birth. It has also been contended ~~then~~ on behalf of the respondents that the applicant was subjected to medical examination to ascertain her date of birth and she was opined to be of 35 years on 29.9.1977. The respondents have also asserted that the applicant has challenged the entries regarding her date of birth after 17 years, and, therefore, not within the prescribed period of 5 years and, therefore, on this ground also the applicant fails to establish her case.

3. Heard, Shri Rakesh Verma, counsel for the applicant and Shri A. Mohiley, counsel for the respondents. *Saw*

4. It is not in dispute that the applicant has come up for correction of date of birth after 21 years and she agitated before the departmental authorities after a period not less than 17 years. It is also not in dispute that the applicant has come up only on the strength of her horoscope, but there is no evidence to show that it actually relates to her. It has also not been disputed from the side of the applicant that her date of birth has been entered in her service record on the basis of medical assessment, which remained unchallenge for more than 17 years.

5. In view of the above, I do not find any good reason for direction as prayed for in the relief clause for correction of entry, after lapse of more than 20 years and that ~~on~~ on the basis of a document which does not specifically mentioned that it relates to the applicant.

6. For the above, the O.A. is dismissed.
No order as to costs.

S. K. Singh

Member (J)

/M.M./