



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/01340/2019

Chandigarh, this the 28th of June 2021

HON'BLE MR. SURESH KUMAR MONGA, MEMBER (J)

(Through video conference from Chandigarh Bench)

HON'BLE MR. RAKESH KUMAR GUPTA, MEMBER (A)

(Through video conference from Bangalore Bench)

Bhajnik Singh aged 66 years (now retired) son of Babu Singh, resident of House No. 609, Sector 44-B, Sham Nagar, Ludhiana – 141001.

....Applicant

(BY: Mr. G.P. Vashisht, Advocate)

Versus

1. The Union of India through its General Manager, Northern Railway, Baroda House, New Delhi – 11001.
2. The Divisional Railway Manager (P) Northern Railway, Ferozepur – 152001.
3. The Senior Divisional Personnel Officer, Northern Railway, DRM Office, Ferozepur Cantt – 152001.

... .Respondents

(BY: Mr. Sanjay Goyal, Advocate)

O R D E R(Oral)

Per: SURESH KUMAR MONGA, MEMBER (J):

1. The present original application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 making therein a payer for quashing the order dated 25.10.2019 (Annexure A-2) and for issuance of a



direction to respondents to correct the date of birth of his wife.

2. In response to notices issued by this Tribunal, the respondents have filed a joint written statement. In paragraph 4 (iv) of the written statement, the following assertions have been made by the respondents.

"That in reply to Para 4(iv), it is submitted that as already stated above, since the detail has been provided by the applicant himself at the time of retirement under his clear signatures & the same has been incorporated in the Pension Pay Order. Further vide office letter dated 30.04.2020 (Copy enclosed as Annexure R-2) he was asked to clarify the reason for submitting representation for change of date of birth of the wife after seven years gap. Further he was also asked to clarify the name of wife shown as Smt. Rajinder Kaur in school leaving certificate. Further, some attested documentary proofs like Aadhar Card, PAN card and School Leaving certificates were called from him vide letter dated 30.04.2020 up to 07.05.2020 which have not been received in this office so far. In absence of these documents, it is not possible to process his case for change of date of birth of Smt. Rajinder Kaur i .e. wife of applicant at this stage."

3. At the very outset, Sh. G.P. Vashisht, learned counsel for the applicant submitted that after perusing the contents of paragraph 4 (iv) of the written statement, the applicant has now submitted a fresh representation along with all the requisite documents and he will be satisfied if the original application is disposed of with a direction to respondents to decide the said representation within a time frame.
4. Keeping in view the afore-stated limited payer made by learned counsel for the applicant, we deem it appropriate to



dispose of the present original application, without entering into the merits of the case, with the observations that if such a representation has been filed by the applicant during pendency of the original application, the Senior Divisional Personnel Officer, Northern Railway, Ferozepur Cantt (Respondent No. 3 herein) shall decide the same by way of passing a reasoned and speaking order in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

5. Ordered accordingly. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
Member (J)

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