

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

....

Registration T.A. No. 1144 of 1986
(O.S. No. 35 of 1985)

D.S. Awasthi Applicant.

Versus

Union of India and others ... Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. A.B. Gorthi, Member (A)

(By Hon'ble Mr. Justice U.C. Srivastava, V.C

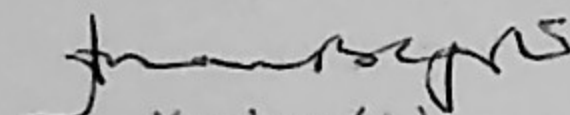
The applicant who has retired from service ~~was~~ entered into service on the post of Receipt Checker in the Harness and Saddlery Factory, Kanpur in the year 1944. When he entered into service, his age was recorded as 18 years and the Medical Officer also assessed his age as 18 years on 9.8.1944, accordingly his date of birth was recorded in his service Book as 9.8.1926. In the year 1949, he had passed the High School Examination and according to the High School Certificate of the applicant, an entry was made in his service record on 13.12.1949, regarding his qualification as Matriculate. The applicant kept mum so far as his date of birth is concerned but before retirement, ^{he agitated the matter and} the crux of the matter is that his age has not been ^u considered in accordance with the High School Certificate, and his age was not corrected by the department according to his correct date of birth which was mentioned in the High School Certificate. The applicant has stated that his actual date of birth is 9.8.1926 but it was denied by the respondents. According to the certificate his age is 16 and half years, but it was wrongly recorded as 18 years. There was no bar to the correction of the

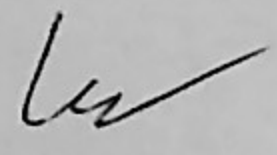
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entry relating to the date of birth after about 5 years from the date of appointment, especially when the plaintiff had submitted authentic documentary proof regarding his age and date of birth.

2. After taking all the facts into consideration, we have come to this conclusion that no benefit of age can be given to the applicant because the applicant had been retired from service w.e.f. 31.8.1984 after attaining the age of superannuation according to his recorded date of birth i.e. 9.8.1926.

3. In the result, we do not find any merit in this application. The application is dismissed with the above terms without any order as to costs.


Member(A)


Vice-Chairman

Dated: 23.10.1991
(n.u.)