

(No. 171 of 1990)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

....

Registration Review Application No. 171 of 1990

In

T.A. No. 1592 of 1986

Union of India & others Appellants-Applicants

vs

Kailash Kumar Plaintiff-Respondent

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

Hon'ble Mr A.B. Gorthi, A.M.

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

This is review petition against the order passed by this Tribunal dated 20-8-1987. The plaintiff-respondent filed a suit claiming his date of birth as ~~1-9-28~~¹, 20-1-28 and 19-7-26. The Tribunal after taking into consideration the evidence of the parties including the records, in which at number of places the applicant signed in English that his date of birth was 19-7-26. The plea raised in the review application by the applicant is that the appellant could not produce any proof whatsoever for establishing the fact that "the aforesaid certificate was taken back by the applicant on 1-9-1950." He further alleges that he never studied in the National Higher Secondary School Agra. In fact he passed class VII from Madrasa Middle, Tajganj, Agra. He had also submitted a copy of the school leaving certificate from that school before the Department as also before the Court. The opposite parties controverted the plea raised by the applicant, and states that it is wrong to allege that in the written statement filed before the learned

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Munsif Agra there was no pleading with regard to the fact that the applicant had taken back the certificate dated 1st August, 1950. It is further alleged that at the time of entry in the department the plaintiff produced VIII class certificate showing himself date of birth as 19-7-1926 from the National Model Higher Secondary School, Agra, plaintiff took back his certificate on 1-9-1950. The plaintiff confirmed his date of birth as 19-7-1926 as the plaintiff put his signature on the first page of his service book. As per record of the defendant the plaintiff entered in the department as Class IV employee on 10-8-1968. At the time of entering in the department the plaintiff produced VII Class certificate in which the date of birth of the plaintiff was recorded as 19-7-26. The said certificate was from the National Model Higher Secondary School, Agra. The plaintiff took back the said certificate from the department on 1-9-1950.

2. We have heard the learned counsel for the parties and perused the record. We find no error apparent on the face of record. Consequently the ^{application} review is dismissed.

transcript
MEMBER (A)

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VICE CHAIRMAN

(sns)

March 13, 1991.

Allahabad.