

A3
1

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

D.A. No. 21 of 1987

6

Mukti Nath Singh ... Applicant

Vs.

Ram Vyas Pandey ... Respondents
Sr. Supdt. of Post Office

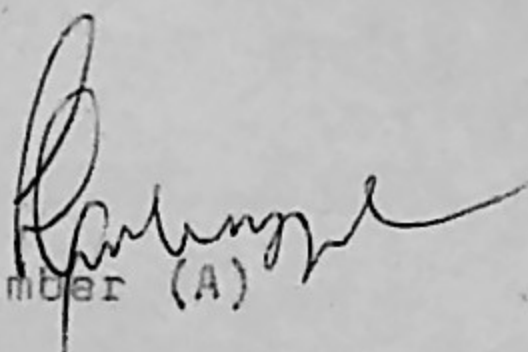
Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, A.M.

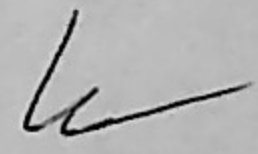
(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as Extra Departmental Branch Post Master in the year 1955. Although in the year 1974, he was put off duty but was reinstated in the month of July 1980. The grievance of the applicant is that even before attaining the age of 65 years, he has been retired from service on the wrong date taking an incorrect date as his date of birth. ^{According to him he was born} on 1.1.1925 and that is why he should have been allowed to continue in service upto the year 1990.

The respondents got an enquiry made regarding his date of birth, from the institution where he studied last and thereafter they came to the conclusion that the correct date of birth is 21.1.1920, a written statement in this respect was also given by the Principal. In the preliminary stage, the date of birth of the applicant is shown as 1.2.1914 and within a span of two months, two civil surgeons assessed his age as 55 years and 57 years, in the year 1980. In his application dated 29.12.80 and 11.3.81, he declared his date of birth as 1.1.1925. In the IX Class Pass transfer certificate, his date of birth is given as 20.1.1916, but when the departmental inquiry carried out by the Sub Divisional Inspector, his date of

7) 43/2
birth is given as 20.1.1920. Thus, in view of the said inquiry, 4 years benefit was given to the applicant and he was to be retired attaining the age of 65 years. The respondents did not see his date of birth which was mentioned in the transfer certificate, otherwise the applicant would have been retired 4 years earlier. From the facts, it appears that the applicant has been given 4 years benefit otherwise he would have been retired earlier. There is no merit of this application and the application is therefore dismissed. No order as to be costs.


Member (A)


Vice Chairman

Allahabad
dt. 23.7.92

/smc/