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THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD

Original Application No.697/1992

PatirajApplicant

versus

Union of India and others. ..Respondents

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HON'BLE MR MAHARAJDIN, MEMBER-J

This is an application under Section 19 of the
Administrative Tribunal Act 1985 seeking the relief of
alteration of date of birth in the service record.

The applicant was appointed as a Khalasi in the
year 1954 and his date of birth was recorded as 08 04 1928
whereas the applicant is claiming to have born on 02 04 1954.
The applicant since has been retired on 30 04 86 on attaining
the age of superannuation according to service record, hence
he has come up before this Tribunal for redress.

The respondents filed Counter Reply and resisted
the claim of the applicant on the ground that the date of
birth of the applicant was recorded at the time of appointment
on his own declaration.

I have heard the learned counsel for the parties
and perused the record.

Datta

The applicant has not filed any documentary proof in support of his assertion that he born on 02 04 1935. It is however submitted in the application that the Railway Doctor assessed his age as 19 years at the time of his initial appointment on 02 04 1954 as Khalasi, so accordingly he worked out as his real date of birth as 02 04 1954. There is no report of the doctor on record and mere allegation to this effect is not enough to hold that the applicant was born on 02 04 1935.

The applicant knew his recorded date of birth from the very beginning of his service career, but at no point of time he made effort for correction of the same. He was informed about his date of retirement well in advance, but still no request was made for correction of the date of birth in the service record by the applicant.

The applicant filed O A No.659/87 Patiraj versus Union of India and others claiming payment of arrears of pay and allowances as admissible under the Railway Rules from April 1976 to 30th April 1986. The respondents have annexed copy of the judgment of said Original Application which was

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decided against him (Annexure CA-1). In this application the applicant did not mention that his date of birth was incorrectly recorded in the service record. No alteration in the date of birth recorded in the service record can be permitted at a fag end of service career. The applicant filed this petition for correction of the date of birth six years after his retirement which is apparently barred by limitation.

Thus in view of the discussions made above I find that the application is devoid of merit and it is hereby dismissed with no order as to cost.

23.4.93
MEMBER-J

Dated : Allahabad
April 22 , 1993.

(VKS)
