

Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH?
ALLAHABAD

Original Application No. 954 of 1993

Allahabad this the 4th day of January 1999.

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Lal Ji Singh, Son of Late Sri Raj pati Singh,
Resident of Village Gopalpur(Berji), Post Office
Berji, District Jaunpur.

Applicant

By Advocate Shri R.J. Mishra
Shri G.D. Mishra

Versus

1. Union of India through its Secretary, Post and Telegraph, Department, New Delhi.
2. The Superintendent of Post Offices, Jaunpur Division, Jaunpur.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Lal Ji Singh has moved this O.A. with the prayer to quash the letter dated 03.6.1993 through which application for the post of Extra Departmental Branch Post Master, Berji, Maharajganj have been called and also prayed for direction to respondent no.2 to take a decision regarding age of

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the applicant and not to retire him before attaining the age of 65 years.

2. As per applicant's case, he was appointed as Extra Departmental Branch Post Master in Branch Berji, District Jaunpur in the year 1959 and at that time his age was 18 years only whereas the retirement age to the post is 65 years. It has also been mentioned that at the time of his appointment no specific date of birth was mentioned and therefore, vide letter dated 17.3.1992, the respondent no.2 directed the applicant to submit the certificate regarding his date of birth. In accordance with this letter, the applicant submitted a certificate regarding his age issued by Chief Medical Officer Jaunpur. According to which on 24.7.1991, he was about 50 years only and, therefore, not liable to retire before attaining the age of 65 years but the respondents have called for application for fresh appointment to this post deeming applicant to retire in 1993.

3. As per respondents case, when the applicant applied for the post vide application dated 04.1.1958, he mentioned his age at that time about 32 years and vide order dated 29.5.1993, he was retired.

@@4. Considering the arguments placed from the either side and perused the record.

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5. We find annexure C.A.-2 is a photocopy of the application by the applicant for the post under reference in which he has himself mentioned his age as 32 years on 04.1.1958 and now the applicant cannot be allowed to resile from his own declaration in respect of his age and the date of birth. The applicant has also failed to show any reason for which his ~~wen-w-~~ own admission in respect of his age, shall not be taken to be correct.

6. With this fact in view, we find that the applicant cannot be allowed the relief which he has sought for in this O.A. and the same is dismissed accordingly. No order as to costs.

mlm
Member (A)

/M.M./

Swami
Member (J)