

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 21st day of November, 2001.

C O R A M :- Hon'ble Mr. C.S. Chadha, Member- A.

Orginal Application No. 1580 of 1999 .

Murli Ram S/o Sri Jaldhari Ram a/a 56 years  
R/o House No. 116/380, Rawatpur Gaon, Kanpur Nagar.

.....Applicant

Counsel for the applicant :- Sri Munnu Lal

V E R S U S

1. Union of India through its Secretary, M/o Defence Production, New Delhi.
2. The Chairman, Ordnance Factory Board, 10-A, Auckland Road, Calcutta-1.
3. The General Manager, Small Arms Factory, Kalpi Road, Kanpur.

.....Respondents

Counsel for the respondents :- Sri Amit Sthalekar

O R D E R (Oral)

(By Hon'ble Mr. C.S. Chadha, Member- A.)

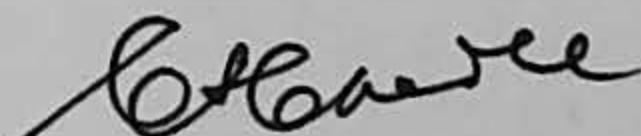
This O.A has been filed under section 19 of the Administrative Tribunals Act, 1985.

2. The case in brief is that applicant joined service in Small Arms Factory, Kanpur on 04.02.1963 and in his service book, his date of birth was recorded as 31.01.1941. At the time of entry in service, he did not file the alleged High School Certificate of 1961 though it was available with him . However, he

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applied in the year 1972 for correction of his date of birth on the basis of the certificate of High School Examination, 1961. No action was taken on the basis of that certificate. Between 1972 to 12.08.1992, the department did not take any action on the letters of the applicant. In the year, 2001 he retired from the service and at the time of retirement, he filled a form signed by him has also stated that his date of birth is 31.01.1941. In the light of above, it is not possible to change the date of birth as ruled ~~MMK~~ by the Hon'ble Supreme Court in case of U.O.I and Ors. Vs. C. Ramachandran and Ors, 1997 (4) SCC 647. Only a ~~the~~ bonafide clerical mistake should be corrected. In this case, there is no clerical mistake and the applicant continued with the entry of date of birth as 31.01.1941 throughout his service. Merely making some representation, does not show that he took adequate steps to protect his interest. He also retired from service in January, 2001 and now no remedy can be given to him. The O.A is dismissed accordingly.

3. There will be no order as to costs.

  
Member- A.

/Anand/