

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD

Allahabad this the 29th day of May 2000.

Original Application No. 1387 of 1999.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member.

R.S. Prajapati aged about 59 years,

S/o Late Chheda Lal Prajapati,

R/O 153 Devaki Nagar, Kanpur-II

.....Applicant

C/A Shri Munnoo Lal Advocate

Versus

1. The Union of India through the Secretary
Ministry of Defence Production, New Delhi.
2. The Addl. Director General Ordnance Factories
Ordnance equipment Factories Group HQrs. G.T.
Road, Kanpur.

.....Respondents

C/R Shri A. Mohiley Advocate

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ORDER

Hon. Mr. S.K.I. Naqvi, Member-J.A.

Short question is involved in the matter ^{is}, as to whether date of birth of the applicant is 10.06.1940 as recorded in the service book of the applicant on his mention or verification by the Medical Officer on the basis of his appearance or his correct date of birth is 01.07.39 as mentioned in his High School certificate.

2. The applicant assert that his date of birth as recorded in his service record be taken as correct one on the basis of opinion of the medical officer and thereby his superannuation shall fall on 30.06.2000 and not on 01.07.1997 as the date of superannuation at the age of 58 years ^{as applicable} ~~listed~~ at that time.

3. It is not in dispute that the applicant is graduate and could ^{claim} ~~claimed~~ to that standard after having passed his High School, where as in his High School Certificate, his age has been declared as well as mentioned as 01.07.1939. The applicant not only concealed this information at the time of his recruitment but has also not filed ^{Copy Medical} before the Tribunal alongwith his O.A.

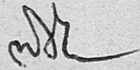
4. There is settled position of law that the date of birth as mentioned in the High School Certificate shall be taken as true and correct date of birth and that can not be altered unless and until it has been got corrected in ~~The~~ High School Certificate itself.

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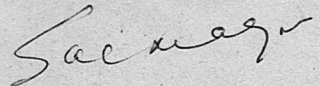
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5. With that position, in view, we do not find any merit in the case of the applicant, which is dismissed accordingly.

6. There shall be no order as to costs.



Member-A



Member-J

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