

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 12TH DAY OF APRIL, 2001

Original Application No.227 of 2000

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Inder Pal Singh, s/o late Johari Singh
Vill.Indergarh, Post Madanpur
District Firozabad.

.. Applicant

(By Adv: Shri Rahul Chaturvedi)

Versus

1. Union of India through Secretary Post & Telegraph, New Delhi.
2. Post Master General, Agra.
3. Dak Adhikshak, mainpuri
4. Sub Divisional Inspector(Postal) Shikohabad.

.. Respondents

(By Adv.Ms.Sadhna Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA applicant has prayed for correction of the date of birth in service record. According to applicant his date of birth is 3.8.1936 whereas in service record the date of birth mentioned through out has been 8.3.1935. Applicant has been superannuated after completing age of 65 years from the post of EDDA. Shri Chaturvedi has submitted that date of birth of the applicant in Scholar Register of school leaving certificate is 3.8.1936. The date shown in the service record was incorrect. The counsel for the applicant submitted that he has been prematurely retired.



..p2

Ms. Sadhna Srivastava learned counsel for the respondents has submitted that at the time of entry in service the descriptive particulars were prepared in regard to the applicant a photocopy of the same has been annexed as CA-1. The document shows that ^{the} applicant was 9th passed and ^{had} also affixed thumb and finger impressions. The documents prepared is of 22.2.1961. It is submitted that applicant cannot be allowed to dispute the documents after 40 years.

I have considered the submissions of the counsel for the parties. In my opinion, the submissions made by the learned counsel for the respondents have force. Hon'ble Supreme court in number of judgements has clearly held that the challenges raised against the date of birth shown in service record should not be entertained at the verge of retirement. In this case notice of retirement was served on 12.1.2000. Then only he challenged the date of birth. Applicant was a literate person. He was fully aware ^{about} about the date of birth shown in the documents filed as CA-1. In the circumstances, after forty years he cannot be allowed to challenge the date of birth shown in the paper which was signed by him.

In the circumstances I do not find any merit in this OA. The OA is dismissed. No order as to costs.

Dated: 12.4.2001


VICE CHAIRMAN

Uv/