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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.213 OF 2006
ALLAHABAD THIS THE 26TH DAY OF AUGUST 2008

HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J

Doodh Nath, Son of Late Moti Lal,
Resident of Mohalla-Dharmpur, Post-
Gita Batkia, District-Gorakhpur.

. Applicant

By Advocate : Sri Anil Yadav

Versus

1. Union of India through Director,
General Department of Postal, New Delhi.
2. Chief Post Master General, Lucknow.
3. Post Master General, Gorakhpur.
4. Senior Superintendent R.M.S.
Division-Gorakhpur.

. Respondents

By Advocate : Sri Saurabh Srivastava

ORDER

This application is filed against the order dated
05.04.2004 and 09.08.2004.

2. The grievance of the applicant is that the Date of Birth entry in the service records of the applicant is wrongly maintained. According to the applicant his Date of Birth is 01.10.1945 not that of 01.09.1944, he noticed the same and the date of birth is crossed and therefore submitted representation on 15.07.2003 and 14.09.2003 and requested the respondents to correct the same. He submitted appeal to respondent no.2 also on 21.01.2001. Subsequently he made a representation to the respondents for correction of Date of Birth. On 05.04.2004 the said request was rejected by the respondents and the applicant was retired on



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21.01.2005. Being aggrieved by the same this OA is filed.

3. On notice the respondents have filed the counter affidavit contending that the entry in the date of birth in the service record is based on the information furnished by the respondents and at the distance of time modification or alteration cannot be permissible under law and sought for the dismissal of the OA. Even though the Counter affidavit is filed the applicant's counsel is not present today, in view of Rule 15 of the CAT (Procedure) Rules 1987 this OA is decided on merits.

4. I do not find any justification to interfere in the order passed by the respondents with regard to his Date of Birth as 01.10.1944 but the applicant states that on seeing the service records there is some correction to be made to that effect, therefore he made a representation to the authorities concerned after noticing the same, this explanation of the applicant cannot be accepted. Since the applicant joined as mail man on 07.05.1966, and continued in service such a long time, and has not taken steps earlier to correct the date of birth, having regard to the fact that in the absence of any reason for approaching the competent authorities earlier for correction of Date of Birth and that is also at the end of his service when he is due to retire cannot be accepted, having regard to the facts and the



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circumstances of the case, I do not find any justification in granting the relief as prayed for by the applicant, accordingly the same is dismissed.

5. In view of the foregoing reasons, this OA is dismissed. No Costs.


Member-J

/ns/