

Coram : Hon'ble Mr. P.H. Trivedi : Vice Chairman

Hon'ble Mr. P.M. Joshi : Judicial Member

19/1/1989

Heard Mr.V.T.Acharya and Mr.B.R.Kyada the learned advocates for the applicant and the respondents. The respondents in their reply stated that the instructions in our judgment dated 11.3.1988 in OA/150/87 a competent authority has recorded a speaking order dated 13th August, 1988, in which the petitioner claims that he was not given an opportunity and that he was not allowed to adduce the documentary evidence in support of his contention. On perusal of the speaking order, we find that the present hearing was given on 11.7.1988 against that, the petitioner stated that it was not a proper hearing and he was made endorsement about his grievance by a letter. On perusal of that letter, we find that he has complained against the adequate attention not being given regarding the certificate of his age. The School Leaving certificate on which the petitioner has relied dated 3.12.1971 has been considered and referred to in the speaking order in deciding the attention of the petitioner that his correct date of birth is 23.11.1931 *accepted* in place of the date of birth 4.4.1929 expected by the respondent. After perusal of the order and of the pleadings, we do not find that there is any deficiency in the speaking order for any question of law or fact which has been inadequately dealt with or erroneously concluded and we do not therefore find that there is any justification for admitting the case. The case is therefore summarily rejected.

Pr
(P.H.Trivedi)
Vice Chairman

J
(P.M.Joshi)
Judicial Member