

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 294 of 1990

Date of Decision ... 15. 05. 1991

Shri Brundaban Mohanty ... Applicant

Versus

Union of India & others Respondents

For the applicant ... M/s.D.R.Patnayak
& S.Pattnaik,
Advocates

...

For the respondents ... A.K.Mishra
Standing Counsel (Central)

C O R A M

MR. B.R. PATEL, HON'BLE VICE CHAIRMAN

AND

MR. N. SENGUPTA, HON'BLE MEMBER (JUDICIAL)

1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to the reporters or not ? *No*
3. Whether Their Lordships Wish to see the fair copy of the judgment ? Yes

J U D G M E N T
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MR. N. SENGUPTA, MEMBER (J), The case of the applicant is that, he joined as Extra Departmental Mail Carrier (EDMC) in the Branch Office of Baigani in the district of Cuttack. At the time of his entry into service, the date of birth was wrongly recorded as 14.8.25 in ^{stead} ~~spite~~ of his actual date of birth i.e. 20.3.1930. This wrong recording he discovered in 1987 and immediately thereafter i.e. on 17.1.1987 he made a representation to the Appointing Authority i.e. Senior Superintendent of Post Offices, Cuttack for necessary correction. That representation could not be considered, so he filed another representation on 24.7.1988. After that representation of July, 1988, the Assistant Superintendent of Post Offices, Jagatsinghpur Sub-Division issued a letter vide Annexure-3 asking him to retire on superannuation with effect from 13.8.1990 After-noon. The applicant has asked for a direction to the respondents to allow him (the applicant) to continue in the post of EDMC till 20th March, 1995.

2. The respondents in their written reply have averred that no action could be taken on the representations said to have been made by the applicant as he never produced any horroscope nor had he undertaken to produce any such documents. The applicant at the time of his appointment, made a declaration that his date of birth was 14.8.1925, as such, he cannot now be allowed to say that he was really born on 20th March, 1930. The respondents have annexed

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to their reply a declaration signed and thumb marked
by the applicant.

3. Heard learned counsel for the parties. On a perusal of the papers in the file and the counter filed by the respondents, it appears that the representations said to have been submitted by the applicant have not been disposed of. The respondents have disputed the receipt of any representation referred to in the application. However, we direct without expressing any opinion on questioning of limitation, that the representation, if any, received by the Department should be disposed within two months from the date of receipt of a copy of this judgment. The case is accordingly disposed of. No costs.

[Signature]
15.5.91
VICE - CHAIRMAN

[Signature] 15.5.91
MEMBER (JUDICIAL)

Central Administrative Tribunal
Cuttack Bench, Cuttack
15, May, 1991, B.K. Sahoo.

