

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No. 501 /2007  
This, the 7<sup>th</sup> day of January 2008

Hon'ble Mr. Shankar Raju, Member (J)

Ram Singh (wrongly superannuated) hospital attendant under the respondent aged (D.O.B.-30.1.1948) about 69 years ten months son of late Gagodhar and R/o Vill. Post Amaura Kalan Dist. Lucknow.

Applicant.

By Advocate: Sri A.C. Mishra

Versus

1. The Union of India through the General Manager, Northern Railway Headquarter Officer, New Delhi.
2. The Divisional Railway Manager, Northern Railway Lucknow.
3. Chief Medical Superintendent, Northern Railway, Indoor Hospital, Lucknow.

Respondents.

By Advocate: Sri V.K. Khare

Order (Oral)

By Hon'ble Mr. Shankar Raju, Member (J)

The claim of the applicant is for alteration in the date of birth on the basis of matriculation certificate. A representation preferred in 2005 was ultimately responded after two years and six months by the respondents, that too rejected on the ground of being time barred. It is not always that a delay in correction of date of birth has to be treated as a thumb rule to deny the claim of the applicant. Individual circumstances are also be invoked and seen into. In the light of the above provisions, the claim of the applicant on the basis of certificate issued by the school and also certain documents like insurance etc. where the date of birth shown as 1948, the claim of the applicant was considered without applying mind to the valid and justifiable contentions raised on merit. Accordingly, this requires reconsideration. O.A. is partly allowed. Impugned order is set aside. Respondents are directed to reconsider the claim of the applicant for change of date of birth on merits

by speaking order to be passed within a period of two months. O.A. stands disposed of.

No costs.

S. Raju  
(Shankar Raju)  
Member (J)

HLS/