

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**LUCKNOW BENCH, LUCKNOW**

Original Application No. 108/2011

This, the 6<sup>th</sup> day of January, 2012

**Hon'ble Mr. Justice Alok Kumar Singh, Member (J)**

Indra Deo Sahni aged about 58 years son of late Gudar Sahni r/o Tikonia , Post – Tikonia, Pargana- Khairigarh, Tehsil- Nighasan, District- Lakhimpur Kheri.

Applicant

By Advocate: Sri S.N. Rai

Versus

1. Union of India through its Secretary, Ministry of Railways, Rail Bhawan, New Delhi.
2. Divisional Manager,( Parichalan), NER, Ashok Marg, Lucknow.
3. Divisional Manager (Karmik),NER, Lucknow.
4. Chief Account Officer, NER, Lucknow

Respondents.

By Advocate: Sri Rajendra Singh.

**ORDER (Dictated in Open Court)**

**By Hon'ble Mr. Justice Alok Kumar Singh , Member (J)**

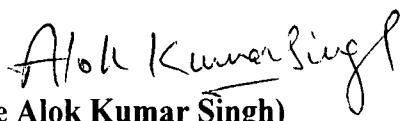
Heard.

2. The facts wrapped in brevity are that the applicant was working as Line Clear Porter and retired on superannuation on 31.10.2010. It is said that he is an illiterate person. After about 2-3 months, i.e. on 11.2.2011, he has moved representation (Annexure 8) saying that his actual date of birth is 22.10.1952 and not 22.10.1950. Therefore, he requested the official respondents to permit him to serve for 2 years more.
3. From the side of the respondents, the claim has been contested saying that the applicant himself mentioned his date of birth in office record 'A' called as 22.10.50 and accordingly he has been correctly superannuated on completion of age of 60 years. These averments have been made in para 7,10 and 11. In reply thereof, it has not been specifically denied whether or not the applicant himself has mentioned his date of birth in the office record as 22.10.50. Merely, a general denial has been made that he is an illiterate person.

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4. At this stage, learned counsel for applicant submits that it would meet the ends of justice for the present, if his pending representation dated 11.2.2011 is disposed of expeditiously. But the learned counsel for other side says that this representation has not been received.

5. Keeping in view the request made by the learned counsel for the applicant, this Tribunal is not adverting to the other grounds. In view of the above, this O.A. is finally disposed of with a direction to the respondent No.3 to dispose of the representation of the applicant within 3 months from the date, it is moved a fresh, by the applicant. No order as to costs.

  
**(Justice Alok Kumar Singh)**  
**Member (J)**

**HLS/-**