

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH

(6)

O.A.392/89

Vishnu Shankar Gaikwad,  
Chikangarpada,  
Near Birla College,  
Murbad Road,  
Kalyan Dist. Thane. .. Applicant.

vs.

Divisional Railway Manager,  
Central Railway,  
Bombay V.T. .. Respondent

Coram: Hon'ble Shri Justice U.C.Srivastava,  
Vice-Chairman

Hon'ble Shri M.Y.Priolkar,  
Member(A)

Appearances:

1. Mr.L.M.Nerlekar  
Advocate for the  
Applicant.
2. Mr.Subodh Joshi  
Advocate for the  
Respondent.

ORAL JUDGMENT: Date: 16-7-1991  
(Per U.C.Srivastava, Vice-Chairman)

The applicant has approached this Tribunal praying that the respondents be directed to correct the date of birth of the applicant in the service record as 24.8.1932 instead of 28.5.1930 and they may be directed to allow the applicant to resume duty on the basis of corrected date of birth and paid full salary and consequential benefits from 1-6-1988 till the date he is allowed to resume duty.

2. The applicant ~~was~~ initially entered the service as Khalasi in the year 1949. As he remained absent unauthorisedly his services were terminated. He made a representation against the same on the ground that he was suffering from T.B. he could not attend the duty. His termination order was not revoked but he was re-employed with effect from 27-10-1978. According to the date of birth recorded in the original service record the applicant was to retire on 31st May, 1988 and he was apprised

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that he is going to retire on that date. The applicant few days after his retirement made a representation along with school leaving certificate that his date of birth is not correctly recorded and according to the correct date of birth he may be allowed to continue to remain on duty till 31-8-1990 with all consequential benefits.

3. No such representation was made by the applicant prior to his retirement nor he made any inquiry in this behalf. It may be that his date of birth may not be recorded correctly but for the applicant he should have been vigilant more so as when he was re-employed in service. But no action was taken by the applicant before retirement subsequent action would be nothing but an afterthought. We do not find any merit in this application. Accordingly this application is dismissed with no order as to costs.

  
(M.Y.PRIOLKAR)  
Member(A)

  
(U.C.SRIVASTAVA)  
Vice-Chairman