

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG. NO. 6, PRESCOT RD., 4TH FLR.,
MUMBAI - 400 001.

Review Petition No. (N) 7/97 in
Original application No. 465/96.
Dated this 16th DAY OF MAY, 1997.

CORAM : Hon'ble Shri B.S.Hegde, Member (J).

Mangal Moti Gajre,
Feo,
O/O. NMO,
Central Railway,
Nagpur.

... Review Petitioner.

v/s.

1. Chairman, Central Railway Board,
Mumbai C.S.T.,
Mumbai.

2. The Finance Adviser,
Chief Accounts Officer,
Central Railway Division,
Mumbai C.S.T., Mumbai.

3. The Senior Division Accounts Officer,
Central Railway,
Nagpur.

... Respondents.

|| ORDER BY CIRCULATION ||

|| Per Shri B.S.Hegde, Member (J) ||

The applicant has filed this review petition seeking review of judgement dated 27/1/97. In the review petition it is stated that the Tribunal has not given any speaking order regarding the change of date of birth. The said contention is not justified. Tribunal has passed a detailed order, and has also stated that it is true that no limitation is provided as per the guidelines issued by the Railway Board for making representation for alteration of Date of Birth from illiterate class-IV employees. But the acceptance or rejection is left to the competent authority to decided depending upon the type of corrorate evidence adduced by the applicant. The applicant has sought for change of date of birth, on the basis of his School Leaving Certification which he obtained from Anthony's Primary School Ajni, Nagpur wherein it is stated that the

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date of birth of the applicant is 15/6/1941 whereas the date of birth as entered in the service record is 5/8/1938. Till his retirement he has not raised up the issue though sufficient opportunity was given to the applicant to rectify the same. It is an admitted fact that the applicant has not made any representation within a period of 5 years of entering into service though he has been signing the service record till his retirement and no objection has been raised by him in this behalf.

2. The OA was disposed of that no representation was made by the applicant within a period of five years of his entering into service and the applicant failed to substantiate his claim through any reliable document excepting the School Leaving Certificate obtained subsequently. However, the ~~applicant~~ applicant has sought for change of date of birth at the fag end of service when he is due for retirement. Courts have held that such tendency is to be ~~reprehensible~~ and should not be undertaken. In the result, I do not find any merit in the Rview petition and the same is dismissed by circulation.


(B. S. HEGDE)
MEMBER (J)

abp.