

6

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No.247/90.

Shri Petras Pandurang Waghmare,  
96, Yashoda Housing Society,  
Pune - 411 016.

.. Applicant.

V/s.

1. Union of India,  
Office of the Standing Counsel  
for Union of India, Bombay.
2. The Secretary,  
Ministry of Defence,  
Government of India,  
New Delhi.
3. The General Manager,  
Ammunition Factory,  
Kirkee, Pune-411 003.

.. Respondents.

Coram : Hon'ble Shri Justice U.C. Srivastava, Vice Chairman  
Hon'ble Shri M.Y. Priolkar, Member (A).

ORAL JUDGMENT

DATED: 17.7.1991.

PER : Hon'ble Shri U.C. Srivastava, Vice Chairman

The applicant has approached this Tribunal claiming that the respondents be directed to correct the date of birth of the applicant as 16.2.1933 in place of 16.2.1931 in the service record of the applicant. The applicant joined the services in the Ammunition Factory, Kirkee on 16.11.1948 as Machine Operator. According to the applicant no proof whatsoever was given. But it appears that his date of birth was wrongly recorded as 16.11.1931. The applicant learnt of the same and he made a representation in the year 1980 against the same alongwith the documents. The first document submitted

O.A.247/90.

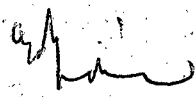
by the applicant was an extract from the Birth Register of Municipal Council, Yavatmal in which his date of birth has been shown as 16.2.1933 as also a School Leaving Certificate issued by the Primary School, Ahmednagar in which his date of birth was shown as 16.2.1933. Despite these documents the respondents rejected his application dt. 14.2.1990 and thereafter again on 1.3.1990 when the applicant has prayed that the documents of unimpeachable character were filed by him and yet his date of birth has not been corrected.


2. Even if we consider the date of birth as given by him then the applicant joined the Ammunition Factory at the age of 15½ years and according to the respondents he had just completed 17 years at the time when he was taken in service. The question will be that whether the applicant will be entitled to double benefit or not. As it was just possible that if his age was 15½ years he would not have been taken in service. But it is not necessary to enter into this question and to decide it. The certificate which the applicant has produced was of 1965 and yet he waited for 15 long years to file the same. The authorities concerned have rejected his representation and have not placed reliance on the said representation on the ground that at the time of entry into the service a particular age was given which has remained on record for long years, and, therefore, correction was not possible and double benefit cannot be given. So no assistance can be given

⑤

O.A.247/90.

to the applicant as regards date of retirement. The application is accordingly rejected. However, the applicant may approach the authorities to be considered for reemployment for a particular period. No order as to costs.

  
( M.Y. PRIOLKAR )  
MEMBER (A).

  
( U.C. SRIVASTAVA )  
VICE CHAIRMAN.