

25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

D.A. 972/91.

Dt. of Decision : 20.7.94.

MR. G.M.P. Obaiah

.. Applicant.

Vs

1. Union of India rep. by
the Chairman, Railway Board,
Rail Bhavan, New Delhi.
2. General Manager,
SC Rly, Rail Nilayam,
Sec'bad.
3. Divisional Railway Manager,
SC Rly, Guntakal.

.. Respondents.

Counsel for the Applicant : Mr. G.V. Subba Rao

Counsel for the Respondents : Mr. V. Bhimanna, Addl. CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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25/7/94
A/2

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DA 972/91.

Dt. of Order:20-7-94.

(Order of the Divn. Bench passed by Hon'ble
Shri A.V.Haridasan, Member (J)).

* * *

The applicant who entered service under the Railways on 11-2-1955 and according to the recorded date of birth is 4-10-1933 is to retire on Superannuation on 31-10-91, made a representation for the first time on 30-3-91 to the second respondent requesting that his date of birth may be altered in the service records as 15-3-1936 producing a certificate from the Registrar of Births and Death, stating that he came to know that his date of birth in the School records were wrongly recorded, which was also carried over in the official records. The second respondent did not ~~accept~~ to the request and denied the applicant to have the change effected in the School Certificate. Therefore the applicant has filed this application praying that the respondents maybe directed to alter the applicant's date of birth to 15-3-1936.

2. Having perused the application and heard Sri G.W.Subba Rao, counsel for the applicant and Sri V.Bhimanna, counsel for the Respondents, we do not find any merit in this application. The applicant who is about 58 years on the date of his application lived up to his 58th year

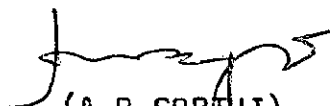
.....3.


And
R2

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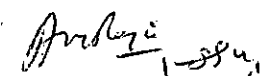
- 3 -

till he made the first representation on 30-3-91, with his date of birth as 4-10-1933. Therefore even if his real date of birth is presumed to be 15-3-1936 that has lost all significance and he has to live the rest of his life with the recorded date of birth for all purposes. He is not at this late stage entitled to have a correction at the Service Records. We are fortified in the view by the direction of the Hon'ble Supreme Court in 1994 (1) ATJ 301 SC. Hence the application fails and the same is dismissed without any order as to costs.


(A.B. GORTHI)
Member (A)


(A.V. HARIDASAN)
Member (J)

Dt. 20th July, 1994.
Dictated in Open Court.


Deputy Registrar (Judl.)

avl/

Copy to:-

1. The Chairman, Railway Board, Union of India, Rail Bhavan, New Delhi.
2. General Manager, South Central Railway, Rail Nilayam, Secunderabad.
3. Divisional Railway Manager, South Central Railway, Guntakal.
4. One copy to Sri. G.V. Subba Rao, advocate, CAT, Hyd.
5. One copy to Sri. V. Bhimanna, SC for Railways, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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Rm 28/7/94.

O.A-972/91

Typed by _____ Compared by _____
Checked by _____ Approved by _____

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. A. V. HARIDASAN: MEMBER (J) ✓

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (A) ✓

Dated: 20/7/94 ✓

ORDER/JUDGMENT. ✓

~~M.S./R.P./C.P.NO.~~

O.A. NO. ⁱⁿ 972/91 ✓

~~T.A. NO.~~ (W.P. NO. _____)

Admitted and Interim Directions Issued.

Allowed.

Disposed of with directions.

~~Dismissed.~~ ✓

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

~~No order as to costs.~~ ✓

Central Administrative Tribunal
DESPATCH
8 AUG 1994
HYDERABAD BENCH
27/94