

8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1079/92

Date of Order: 24.6.93

BETWEEN :

C.Somaiah

.. Applicant.

A N D

The Superintendent of Post Offices,
Narasaraopet Division,
Guntur District.

.. Respondent.

Counsel for the Applicant

.. Mr.B.Nageswara Rao

Counsel for the Respondent

.. Mr.N.V.Ramana

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

T. Chandrasekhara Reddy

15/8/93

Order of the Single Member Bench delivered
by Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.)

This is an application filed under Section
19 of the Administrative Tribunals Act to direct the
respondents to correct the date of birth of the applicant
from 16-12-1927 to 14-1-1934.

The facts giving rise to this OA in brief
may be stated as follows:-

The applicant was appointed as EDBPM,
Hassanabad Branch Office on 228-2-1959. At the time of
entry into the service the applicant gave his date
of birth as 16-12-1927. As per his date of birth as
16-12-1927 the applicant was due to retire on 15-12-1992
afternoon. At the fag end of the service the applicant
put in a representation dated 25-11-1991 requesting the
competent authority to alter his date of birth from
16-12-1927 to 14-1-1934. The applicant is also said
to have appended a xerox copy of the record sheet issued
by the Head ~~Post~~ Master, Srirama Hindu Elementary School
where he had said to have studied along with his representation.
In the record sheet it is said that the date of birth of the
applicant is mentioned as 14-1-1934. After verification *Made*
by the competent authority, it was found that the record sheet
produced by the applicant along with the representation
dated 25-11-1991, showing his date of birth is 14-1-1934 is a
a bogus one. So, the representation of the applicant
dated 25-11-1991 to correct his date of birth was rejected
on 18-11-1992. The applicant was retired on the afternoon
of 15-12-1992 on the basis of his date of birth as
16-12-1927. The applicant has filed the present OA for the
correction of date of birth as indicated above.

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3 Counter is filed by the respondents opposing this OA.

4. This COA was listed for final hearing on 23-6-1993. None were present on behalf of the applicant on 23-6-93. Mr. N.V. Ramana, Standing Counsel for the respondents was present and heard. After hearing Mr. Ramana this OA was ordered on 23-6-93 to be listed for rejection on today (24-6-93). Today also none are present on behalf of the applicant. There is no representation on behalf of the applicant. It is quite evident that the applicant is not at all interested in the prosecution of this OA. Hence we proceed to dispose of this OA with the material available before this Tribunal.

5. Admittedly the date of birth of the applicant while entering into service as EDBPM, Hassanabad had been entered as 16-12-1927 in his service records as per the statement of the applicant. As it is the contention of the applicant that his correct date of birth is 14-1-1934 heavy burden is cast on the applicant to show that his correct date of birth is 14-1-1934. As already pointed out while narrating the facts giving rise to this OA the applicant had attached one xerox copy of the record sheet said to have been issued by Head Master, Srirama Hindu Elementary School along with his representation to correct his date of birth. According to the applicant he had studied in the said school. On verification by the competent authority it is found that there is no such school existing and the said school had been taken over by the municipality long time ago. The applicant has not filed before


T. V. Ramana

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this Tribunal any document in support of his contention that his correct date of birth is 14-1-1934. The duplicate copy of the record sheet of the school which the applicant is said to have studied is not produced before the Tribunal. So, absolutely there is no evidence to show that the correct date of birth of the Applicant is 14-1-1934. So, for want of proof to show that the applicant's correct date of birth is 14-1-1934 this OA is liable to be dismissed. We may refer to the decision of the Supreme Court reported in 1993 Vol. 24 Administrative Tribunal Cases "Union of India Vs. Harnam Singh." ⁷ ¹ ² ³ ⁴ ⁵ ⁶ ⁷ ⁸ ⁹ ¹⁰ ¹¹ ¹² ¹³ ¹⁴ ¹⁵ ¹⁶ ¹⁷ ¹⁸ ¹⁹ ²⁰ ²¹ ²² ²³ ²⁴ ²⁵ ²⁶ ²⁷ ²⁸ ²⁹ ³⁰ ³¹ ³² ³³ ³⁴ ³⁵ ³⁶ ³⁷ ³⁸ ³⁹ ⁴⁰ ⁴¹ ⁴² ⁴³ ⁴⁴ ⁴⁵ ⁴⁶ ⁴⁷ ⁴⁸ ⁴⁹ ⁵⁰ ⁵¹ ⁵² ⁵³ ⁵⁴ ⁵⁵ ⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ ⁶⁰ ⁶¹ ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶ ⁶⁷ ⁶⁸ ⁶⁹ ⁷⁰ ⁷¹ ⁷² ⁷³ ⁷⁴ ⁷⁵ ⁷⁶ ⁷⁷ ⁷⁸ ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³ ⁸⁴ ⁸⁵ ⁸⁶ ⁸⁷ ⁸⁸ ⁸⁹ ⁹⁰ ⁹¹ ⁹² ⁹³ ⁹⁴ ⁹⁵ ⁹⁶ ⁹⁷ ⁹⁸ ⁹⁹ ¹⁰⁰ ¹⁰¹ ¹⁰² ¹⁰³ ¹⁰⁴ ¹⁰⁵ ¹⁰⁶ ¹⁰⁷ ¹⁰⁸ ¹⁰⁹ ¹¹⁰ ¹¹¹ ¹¹² ¹¹³ ¹¹⁴ ¹¹⁵ ¹¹⁶ ¹¹⁷ ¹¹⁸ ¹¹⁹ ¹²⁰ ¹²¹ ¹²² ¹²³ ¹²⁴ ¹²⁵ ¹²⁶ ¹²⁷ ¹²⁸ ¹²⁹ ¹³⁰ ¹³¹ ¹³² ¹³³ ¹³⁴ ¹³⁵ ¹³⁶ ¹³⁷ ¹³⁸ ¹³⁹ ¹⁴⁰ ¹⁴¹ ¹⁴² ¹⁴³ ¹⁴⁴ ¹⁴⁵ ¹⁴⁶ ¹⁴⁷ ¹⁴⁸ ¹⁴⁹ ¹⁵⁰ ¹⁵¹ ¹⁵² ¹⁵³ ¹⁵⁴ ¹⁵⁵ ¹⁵⁶ ¹⁵⁷ ¹⁵⁸ ¹⁵⁹ ¹⁶⁰ ¹⁶¹ ¹⁶² ¹⁶³ ¹⁶⁴ ¹⁶⁵ ¹⁶⁶ ¹⁶⁷ ¹⁶⁸ ¹⁶⁹ ¹⁷⁰ ¹⁷¹ ¹⁷² ¹⁷³ ¹⁷⁴ ¹⁷⁵ ¹⁷⁶ ¹⁷⁷ ¹⁷⁸ ¹⁷⁹ ¹⁸⁰ ¹⁸¹ ¹⁸² ¹⁸³ ¹⁸⁴ ¹⁸⁵ ¹⁸⁶ ¹⁸⁷ ¹⁸⁸ ¹⁸⁹ ¹⁹⁰ ¹⁹¹ ¹⁹² ¹⁹³ ¹⁹⁴ ¹⁹⁵ ¹⁹⁶ ¹⁹⁷ ¹⁹⁸ ¹⁹⁹ ²⁰⁰ ²⁰¹ ²⁰² ²⁰³ ²⁰⁴ ²⁰⁵ ²⁰⁶ ²⁰⁷ ²⁰⁸ ²⁰⁹ ²¹⁰ ²¹¹ ²¹² ²¹³ ²¹⁴ ²¹⁵ ²¹⁶ ²¹⁷ ²¹⁸ ²¹⁹ ²²⁰ ²²¹ ²²² ²²³ ²²⁴ ²²⁵ ²²⁶ ²²⁷ ²²⁸ ²²⁹ ²³⁰ ²³¹ ²³² ²³³ ²³⁴ ²³⁵ ²³⁶ ²³⁷ ²³⁸ ²³⁹ ²⁴⁰ ²⁴¹ ²⁴² ²⁴³ ²⁴⁴ ²⁴⁵ ²⁴⁶ ²⁴⁷ ²⁴⁸ ²⁴⁹ ²⁵⁰ ²⁵¹ ²⁵² ²⁵³ ²⁵⁴ ²⁵⁵ ²⁵⁶ ²⁵⁷ ²⁵⁸ ²⁵⁹ ²⁶⁰ ²⁶¹ ²⁶² ²⁶³ ²⁶⁴ ²⁶⁵ ²⁶⁶ ²⁶⁷ ²⁶⁸ ²⁶⁹ ²⁷⁰ ²⁷¹ ²⁷² ²⁷³ 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in approaching the competent authority for redressal of his grievance. So, in view of the facts and circumstances, this OA is liable to be dismissed.

7 Accordingly the O.A. is dismissed, leaving the parties to bear their own costs.


(T. CHANDRASEKHARA REDDY)
Member (Judl.).

Dated: 24th June, 1993


Deputy Registrar (J)

sd

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