

(124)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1136 of 1992

DATE OF JUDGMENT: 9th February 1993

BETWEEN:

Smt. Ch.Venkayamma

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Applicant

AND

1. The Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Visakhapatnam.
2. The Admiral Superintendent,
Naval Dockyard,
Visakhapatnam.
3. The D.G.M. Personnel,
Naval Dockyard,
Visakhapatnam.

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Respondents

COUNSEL FOR THE APPLICANT: Mr. P.B.Vijaya Kumar

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj, Sr.CGSC

CORAM:

Hon'ble Mr. Justice V.Neeladri Rao, Vice Chairman

Hon'ble Mr. R.Balasubramanian, Member (Admn.)

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
Mr. JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

The applicant herein is working as Rice Cleaner in the Industrial Canteen C.No.01B, Cin.No.C0034 A. As per the records maintained by the concerned authority, her date of birth was noted as 1.1.1934. She claims that her date of birth is 10.12.1950. She prays that she has to be retired after attaining the age of 60 years by altering her date of birth as 10.12.1950. The Bench of this Tribunal, by an order dated 29.12.1992 declined to admit this application in regard to the prayer for alteration of the date of birth from 1.1.1934 to 10.12.1950. Thus, the only other point that has to be considered is ^{as to} ~~that~~ whether the age of retirement for the category of the applicant is 60 years or 58 years.

2. In fact, even the above question also does not arise as the learned Standing Counsel for the Respondents submitted that the age of retirement for the category of the applicant is 60 years and accordingly she was informed by a letter No.PES/3800/CHV, dated 7.12.1992 that she is due for retirement on attaining the age of superannuation with effect from 31.12.1993 and the said communication was held of retirement for her. No question had arisen as

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the applicant got a xerox copy wherein the date of retirement is noted as 31.12.1992. Any how, in view of the original letter No.PES/3800/CHV, dated 7.12.1992 which was submitted for perusal (returned after perusal), it is clear that the age of retirement in regard to the applicant is 60 years and hence she attains the age of superannuation on the Afternoon of 31.12.1993.

3. With the above observations, this O.A. is closed. There will be no order as to costs.

Dictated in the open Court).

V.N.
(V.NEELADRI RAO)
Vice Chairman

R.B.
(R.BALASUBRAMANIAN)
Member (Admn.)

Dated: 9th February, 1993.

A *8/2/92*
Deputy Registrar (J)

To

1. The Flag Officer Commanding-in-Chief, Eastern Naval Command, Visakhapatnam.
2. The Admiral Superintendent, Naval Dockyard, visakhapatnam.
3. The D.G.M. Personnel, Naval Dockyard, Visakhapatnam.
vsn
4. One copy to Mr. P.B. Vijayakumar, Advocate, 1-9-312/6/A&B Vidyanagar, Hyderabad.
5. One copy to Mr. R. Devraj, CGSC, CAT, Hyd.
6. One spair

pvm

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TEMPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO :V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN :M(A)

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY
:MEMBER(J)

AND

THE HON'BLE MR.

DATE: 9-2-1993

ORDER/JUDGMENT:

R.P./C.P/M.A. No.

in

S.A.No.

1136/92

T.A.No.

(W.P.No.)

Admitted and Interim directions
issued.

Allowed

closed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default