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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.No:669/95

DATE OF JUDGEMENT: 5-6-95

BETWEEN:

V.Gangadharacharyulu .. applicant

and

1. The Chairman, Railway Board, New Delhi.
2. The General Manager, S.C.Rly.
Secunderabad-371.
3. The Chief Personnel Officer, S.C.Rly.
Secunderabad-371.
4. The Divisional Railway Manager(BG)
S.C.Rly, Secunderabad-371.
5. The Sr.Electrical Engineer,(Workshops)
S.C.Rly, Lalaguda, Secunderabad.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI V.Gangadharacharyulu,
(P-in-)

COUNSEL FOR THE RESPONDENTS: SHRI N.R.Devraj, SC for Rlys

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

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

CONTD

JUDGEMENT

Dt: 5.6.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri V.Gangadharacharyulu, applicant in person and Shri.N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant is working as Head Typist in the office of R-4. He filed this Oa praying for quashing the order of R.4 in proceedings No:CP/121/Admn/434/VGRDC dated 8.12.1994 rejecting his representation praying for correction of his date of birth from 15.1.1943 to 19.10.1944.

3. The applicant submitted a representation dated 4.5.1973 to R-5 praying for alteration of his date of birth from 15.1.1943 to 19.10.1944 for the reasons stated therein. It was altered by R-5. But R-3, Chief Personnel Officer, by his order dated 30.7.1976 had not accorded ex-post facto sanction to the Order of R-5 whereby his date of birth was altered. It is stated by the applicant that he was not informed about the fate his representations of 1976 submitted to R2 and @1.

4. Shri M.K.Seetharaman, a Senior Clerk in Railways filed O.S.No.148/82 in court at Secunderabad praying for mandatory injunction to the respondents therein to accord ex-post facto sanction to the order of Senior Electrical Engineer whereby the date of birth of Shri. Seetharaman was altered. The said suit was transferred

.....3)

to this Tribunal and registered as T.A No:1019/86 and it was allowed on 3.10.1988. Then R-3 accorded the sanction on 19.6.1990 to the order passed by Senior Electrical Engineer altering the date of birth of Shri.M.K.Seetharaman. Then the applicant herein submitted the representation dated 2.1.1991 to R-2 requesting for extention of the benefit of the Judgement dated 3.10.1988 in TA 1019/86 to him (the applicant herein) also. The same was rejected by the impugned order dated 8.12.1994. It is assailed in this OA.

5. The applicant kept quiet for about 15 years after the ex-post facto sanction was not accorded to the order of R-5 passed in his favour. It is not just and proper to entertain such a stale claim. Hence, we are constrained to dismiss this OA even at the admission stage.

6. ~~The~~ In the result, the OA is dismissed at the admission stage. No costs.

CERTIFIED TO BE TRUE COPY

Date: 8.6.95

Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

[Handwritten Signature]
J. V. Chaturvedi

To

1. The Chairman, Railway Board, New Delhi.
2. The General Manager, S.C.Rly, Secunderabad-371.
3. The Chief Personnel Officer, S.C.Rly,
Secunderabad-371.
4. The Divisional Railway Manager(BG) S.C.Rly,
Secunderabad-371.
5. The Sr. Electrical Engineer (Workshops)
S.C.Rly. Lallaguda, Secunderabad.
6. One copy to Mr. V. Gangadharacharyulu, Party-in-person,
O/O Divl. Rly. Manager (Mechanical) (BG) S.C.Rly. Secunderabad-3'
7. One copy to Mr. N. R. Devraj, SC for Rlys. CAT Hyd.
8. One copy to Library, CAT. Hyd.
9. One spare copy.

With O.A
copy

Review Petition

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

R.A.No: of 1995

in

O.A.No: 60 of 1995

Between:

V. Gangadharacharyulu. Bench Applicant/
Applicant



And

The Chairman,
Railway Board,
New Delhi and
4 others.

.. Respondents
Respondents.

Petition filed under Sec.22(3) (f)
of the Central Administrative
Tribunal Act 1985.

Filed on : 20.7.1995

Filed by : The Applicant.

By:

Sri.Y.V.Chalapathy Rao
B.Sc., LL.M. Advocate

Counsel for the Applicant

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[Signature]