

(81)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.

OA.No.748/95.

Date of order:29.6.1995.

Between:-

L.Mallaiah

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Applicant.

And

1. Sub-Postmaster, Sirpur Kagaznagar,
Adilabad District.
2. Superintendent of Post Offices,
Adilabad Division, Adilabad.

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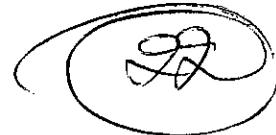
Respondents.

Counsel for the Applicant: Mr.Sanaka Ramakrishna Rao,
Advocate.

Counsel for the Respondents:Mr.N.R.Devaraj,Sr.CGSC.

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER ADMINISTRATIVE.



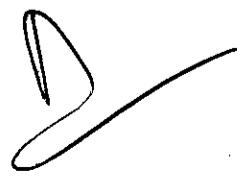
O.A.No.748/95.

Date of Order: 29.6.95.

Order passed by Hon'ble Sri R.Rangarajan, Member(Admn.)

The applicant herein joined as E.D.B.P.M. in the Department of Posts. It is stated by him that at the time of his appointment he declared his date of birth approximately as 26-3-1941 and it is alleged by the applicant that it was accepted by the Respondents. In the transfer certificate issued by the District Educational Officer, Adilabad District, the date of Birth is shown as 15-3-1939 (Annexure-IV). As per the impugned order dt. 2.5.1995 at Annexure-I it is stated that the applicant has to retire on 31-7-1995 as his date of birth is 16-7-1937. As per the above records, there are three date of births for the applicant. Now the applicant in this application prays that his date of birth should be corrected as 26-3-1941 instead of 16-7-1937 or in the alternative, the date of birth as entered in the School Leaving Certificate may be accepted. It is stated that he has submitted representation dt. 4.9.1991 (Annexure-II) for correction of date of birth from 16.7.1937 to 26.3.1941. It is further stated by him that the authorities orally told him that his date of birth will be corrected as 26.3.1941. But there is no such memorandum indicating alteration of date of birth issued to him nor the applicant ^{had} followed up further for the correction of date of birth by subsequent representations. He also failed to check up his official records in regard to correction of his date of birth.

2. By his representation dt. 21.12.1994 (Annexure-5), he represented once again for correction of his date of birth as 16-3-1941. On this representation, he has been informed



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CA with
annexures

1. Sub-Postmaster,
Sirpur Kagaznagar,
Adilabad District.
2. Superintendent of Post Offices,
Adilabad Division,
Adilabad.
3. One copy to Mr. Sanaka Ramakrishna Rao, Advocate,
C.A.T. Hyderabad.
4. One copy to Mr. N. R. Devaraj, Sr. CGSC. CAT. Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One spare copy.

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with a cryptic reply "that there is no provision to extend his services beyond retirement age". From this reply, it is not possible to say whether the merits of the case have been considered by the authorities. No reasons for rejection has been indicated in the reply.

3. I have heard Sri N.R.Devaraj, learned Standing Counsel for the respondents and Sri S.Ramakrishna Rao, learned counsel for the applicant. In view of the above stated facts and circumstances, it is just and proper to direct the respondents No.1 & 2 to give a suitable reply on the basis of the records considering all the points mentioned in his representation dt. 21.12.1994. In the result, the following direction is given:-

Respondent No.2 has to dispose of the representation of the applicant dt. 21.12.1994 (Annexure-V) with a speaking order considering all the points mentioned by the applicant and analysing the merits of his contention. The reply should be given to the applicant latest by 15-7-1995.

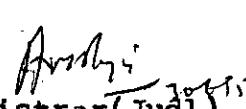
4. If the applicant is aggrieved by the reply to be received by him as directed above, he is free to approach this Tribunal if so advised, Under Sec.19 of the Administrative Tribunals Act, 1985.

5. The OA is disposed of at the admission stage itself. No order as to costs.


(R.Rangarajan)
Member(Admn.)

Dated 29th June, 1995.
Dictated in open court.

avl/grh.


Anshu
Dy. Registrar (Judl)

c.c.to deny

of 748/95

THPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

A N D

THE HON'BLE MR. R. RANGARAJAN (M (ADMN)

DATED 27/6/1995.

ORDER/JUDGMENT

Order

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

O.A. No.

748/95

T.A. No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

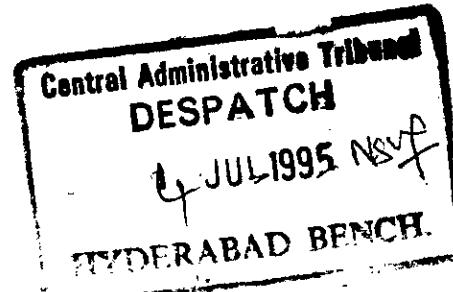
Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

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