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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 520/1997.

Date of decision: 17th December, 1997.

Between:

G.V. Subba Rao. .. Applicant.

and

1. The Superintendent of Post Offices,
Tenali Postal Division, Tenali Dt.,
Guntur.
2. The Post Master General, Vijayawada Region,
Vijayawada.

.. Respondents.

Counsel for the applicant: Sri S.Ramakrishna Rao.

Counsel for the respondents: Sri N.R. Devaraj.

JUDGMENT.

(by Hon'ble Sri R.Rangarajan, Member (A))

Heard Sri S.Ramakrishna Rao, learned counsel for the applicant and Sri N.R.Devaraj, learned standing counsel for the respondents.

The applicant submits that his date of birth is 10-10-1938 and not 15-9-1996 as ^{stated} ~~stated~~ by the respondents. He submitted a representation to the respondents but that representation was rejected by the impugned Order No.B-II/297 dated 21-11-1996 Annexure I to the O.A.



This O.A., is filed to set aside the impugned Memo No. B.II/297 dated 21-11-1996 of the Respondent No.1 rejecting his request for alteration of his date of birth from 15-9-1936 to 10-10-1938 by holding it as arbitrary and for consequential direction to the respondents to rectify all the records with correct date of birth which was frivolously altered to 15.9.1936 without notice to the applicant and was recorded in the Inspection reports which is not warranted.

The impugned order dated 21-11-1996 was issued under the instructions of the Postmaster General, ^{frivolously} Vijayawada. Hence the learned counsel for the respondents submits that by Annexure R-1 to the O.A., the applicant had himself given his date of birth as 15-9-1936 and it is supported by Annexures R-4 and and R-7 to the reply. He submits that if a mistake ^{by the applicant} is committed ^{anyone} in noting the date of birth, that will not be the reason for correcting the ~~old~~ date of birth at a later date. But the learned counsel for the applicant submits that ^{in the reply} R-2 certificate clearly indicates that the date of birth of the applicant is 10-10-1938 and hence the submission of the counsel for the respondents is not in order. The learned counsel for the applicant also submits that Annexure R-2 has

also been relied upon by the respondents though it is denied by the learned counsel for the respondents.

Under the above circumstances, I am of the opinion that the whole issue needs to be considered by the Chief Post Master General, Andhra Pradesh, in accordance with law and dispose of the same. To facilitate the above, the applicant should submit a detailed representation indicating all the records on which he relies for alteration of his date of birth and submit the same within a period of one month from the date of receipt of a copy of the judgment. If such a representation is received from the applicant, then the Chief Post Master General, Andhra Pradesh will dispose it of after making necessary investigation as he deems fit in accordance with ~~xx~~ the rules within six months from the date of receipt of representation from the applicant.

With the above directions, the O.A., is disposed of. No costs.



R. RANGARAJAN,
Member (A)


M.G.R.

Date: 17th December, 1997.

Dictated in open Court.

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Copy to:

1. The Superintendent of Post Offices, Tenali Postal Division, Tenali Dt. Guntur.
2. The Postmaster General, Vijayawada Region, Vijayawada.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
5. One copy to D.R.(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

MLR

29/12/97
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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESWAR :
M(J)

Dated: 17/12/97

ORDER / JUDGMENT

MA./R.A./C.A. No:

520 in

D.A. No. ~~520~~ /97

Admitted and Interim Directions
Issued.

Allowed

Disposed of With Directions

Dismissed

Dismissed as Withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

SRR

II Court

