

**Central Administrative Tribunal
Principal Bench**

OA No.337/2018

New Delhi, this the 15th day of November, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Dr. L. Dhandem, Aged about 55 years
S/o Late Shri Rangaiah Dhandem
Currently working as Commissioner
Audit-I, CGST and Excise
Nagpur Commissionerate
R/o Room No.2, Guest House
Custom, CE & ST Building, Civil Lines
Nagpur-440001. ...Applicant

(By Advocate: Shri Ajesh Luthra)

Versus

Union of India through
Chief Commissioner
Central Board of Excise & Customs
Department of Revenue
Ministry of Finance, North Block
New Delhi-110001. ...Respondent

(By Advocate: Shri S.M. Zulfiqar Alam)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

This OA is filed challenging the order dated 10.01.2018. The said order in turn was passed on the representation dated 29.11.2017 submitted by the applicant with a prayer to change his date of birth from 11.01.1958 to 11.01.1962.

2. The applicant was working as a Commissioner, Audit-I, CGST and Excise in the Ministry of Finance, Department of Revenue. The appointing authority examined the representation and passed a detailed order rejecting the request of the applicant.

3. The OA has undergone several adjournments at the admission stage itself. On 18.05.2018, the applicant was given last opportunity to place a copy of his Matriculation Certification in support of his claim as to his date of birth. It was also mentioned that if he fails to do so, appropriate orders would be passed. Thereafter, the case has undergone two adjournments.

4. Though Shri Ajesh Luthra, learned counsel submits that he has been instructed to appear for the applicant, he states that he was not furnished any material and the Vakalatnama was not signed by the applicant. We heard learned counsel for the respondents Shri S.M. Zulfiqar Alam and perused the record.

5. The date of birth of the applicant was entered in the service record as 11.01.1958, on the basis of the information furnished by him. Seventeen years after he

joined the service, a representation was made with a request to correct the date of birth. That was on the basis of an entry in the certificate pertaining to his MBBS course. That hardly had any authenticity. It is well established that the date of birth, as entered in the Matriculation Certificate constitutes the basis for any employment. With a view to resolve the controversy, the Tribunal directed the applicant to produce his Matriculation Certificate. For the reasons best known to him, the applicant did not produce that. The respondents examined the matter in detail and passed the impugned order.

6. We do not find any basis to interfere with the impugned order. It is also brought to our notice that the applicant has since retired from service. We, therefore, dismiss the OA being devoid of merit. There shall be no order as to costs.

(Pradeep Kumar)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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