

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/01011/2018

Friday, this the 01st day of March, 2019

**Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr. Ashish Kalia, Judicial Member**

N.Suresh, aged 56 years
S/o.Narayanan
T.C 38/291
Chenthitta, Chala
Thiruvananthapuram, Kerala
Pin-695 036
Presently working as:
Technician Grade-III
Train Lighting, Trivandrum Central
Southern Railways, Thiruvananthapuram

..... **Applicant**

(By Advocate – Mr.Sampath V.Toms)

V e r s u s

1. The General Manager
Southern Railway
Headquarters Office
Park Town P.O, Chennai – 600 003
2. The Chief Personnel Officer
Southern Railway
Headquarters Office
Park Town P.O, Chennai- 600 003
3. The Divisional Railway Manager
Southern Railway
Trivandrum Division
Thiruvananthapuram – 695 014
4. The Senior Divisional Personnel Officer
Southern Railway
Trivandrum Division
Thiruvananthapuram – 695 014

..... **Respondents**

(By Advocate – Mr.P.R.Sreejith,ACGSC)

This Original Application having been heard on 1.3.2019, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

Per: Mr.E.K.Bharat Bhushan, Administrative Member

Applicant had entered service in the Southern Railway under Sports Quota on 7.8.1984. His age has been established on the basis of Secondary School Leaving Certificate entry, which established that he was born on 25.05.1959. The reliefs sought in the Original Application are as follows:

- “i) Direct the respondents to consider and pass orders on A7 representation in the light of A5 and A6, as expeditiously as possible within a time frame.
- ii) direct the respondents to correct the date of birth of the applicant in the service register in the light of Annexures A5 and A6.
- iii) Grant such other reliefs that this Hon'ble Tribunal may deem just, fit and proper in the facts and circumstances of the case.”

2. Now the counsel, seeking a change of his date of birth, submits that the applicant is retiring on 31st May 2019. On going through the Original Application, we see that the only document he has produced is a 'Report of Examination for Estimation of Age' issued on 6.10.2018 which states that the age of the applicant is 56 years and his date of birth has been suggested as 23.7.1962.

3. We have heard the counsel Mr.Sampath V.Toms on behalf of the applicant. He has no further evidence to state and he submits that the representation filed by the applicant, copy of which is at Annexure A-7, for

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change of date of birth in the service register may be considered and a favourable view taken.

4. There is no evidence of substance which has been indicated to affirm the applicant's date of birth as is claimed in the so called Estimation of Age Report. As per the SSLC Book, it is clearly shown as 1959 and the applicant has also been comfortable to live with this date so far. The Original Application is dismissed as lacking in merit. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures

Annexure A1 - True copy of the appointment order of the applicant dated 7.8.1984

Annexure A2 - True copy of Secondary School Leaving Certificate dated 6.4.1977

Annexure A3 - True copy of relevant pages of service register of applicant

Annexure A4 - True copy of Letter No:H1Q/15052/18 issued by the Births and Deaths Registration Department dated 14.2.2018

Annexure A4(a) - True copy of English Translation of Annexure A4 – Nil-

Annexure A5 - True copy of Report of Examination for Estimation of Age dated 6.10.2018

Annexure A6 - True copy of affidavit dated 8.10.2018

Annexure A7 - True copy of representation to the 4th respondent dated 8.10.2018

Annexure A8 - True copy of Reminder Letter dated 5.12.2018

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