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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA BENCH,

CALCUTTA

O.A.No. 350/1117/2019

PARTICULARS OF APPLICANT

- 1) Sri Jay Prakash Singh, S/o. Jagjitan Singh, aged about 53 years, is working as Parcel Porter at Raniganj in Eastern Railway, residing at Railway Colony, Parcel Office, Qtr.No.69A, Raniganj, P.O.& P.S.Raniganj, Dist.Paschim Bardhaman, W.B.

..... Applicant

- Versus -

- 1) Union of India Through
The General Manager,
Eastern Railway,
17, Netaji Subhas Road,
Kolkata - 700001
- 2) The Chief Commercial Manager,
Eastern Railway,
3 Koilaghata Street,
Kolkata - 700001
- 3) The Asstt.Divisional Railway Manager,
Eastern Railway, Asansol-713301
- 4) The Sr.Divisional Commercial Manager,
Eastern Railway, DRM Office, Asansol-713301

..... Respondents.



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**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

OA/350/1117/2019

Date of Order: 04.09.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Jai Prakash Singh

.....Applicant

Vrs.

Union of India & Ors.

.....Respondents

For the Applicant(s): Mr. N.Roy, Counsel

For the Respondent(s): Mr. S.Roy, Counsel

ORDER (ORAL)

Bidisha Banerjee, Member (J):

This O.A. has been filed to seek the following reliefs:

"(a) Hon'ble Directions may please be issued to the respondents to treat and record the date of birth as per educational certificate to your applicant under intimation, and to allow to retire on the basis of School records Not on the basis of wrong date of birth.

(b) Representation dated 28/5/2019 may be considered forthwith.

(c) Any other order/orders deem fit and proper."

2. Ld. Counsel for the applicant would submit that the applicant, who is working as Parcel Porter at Raniganj in Eastern Railway, is aggrieved by the action of the respondents in not correcting and reflecting his actual date of birth, i.e. 04.05.1967 as mentioned in his Educational Certificates, in the service particulars. He has relied upon the decision of this Bench in O.A. Nos. 293-296/2015 upheld by the Hon'ble High Court of Calcutta in W.P.C.T.No. 201-204/2016. Ld. Counsel for the applicant further submitted that ventilating his grievance the applicant has preferred a representation on 28.05.2019 before the various respondent authorities and, that, the grievance of the applicant may be redressed if his

representation dated 28.05.2019 (Annexure-A/9 to this O.A.) is considered and disposed of within a specific time frame.

3. Ld. Counsel for the Respondents does not object to the consideration of representation in accordance with law.

4. Having heard Ld. Counsels for both the parties and without going into the merits of the matter, we would direct the Respondents, more particularly to General Manager, Eastern Railway (Respondent No.1), to consider the pending representation dated 28.05.2019 (Annexure-A/9 to this O.A.) in the light of decisions in O.A. Nos. 293-296/2015 upheld by Hon'ble High Court of Calcutta passed in W.P.C.T.No. 201-204/2016 and dispose it of with a reasoned and speaking order.

In the event the General Manager finds that the applicant is entitled to correction in the recorded date of birth, appropriate order, granting him such relief, shall be issued within 15 days of receipt of a copy of this order so that the applicant can continue till he attains the age of superannuation. No costs.

5. The O.A. is disposed of accordingly. There shall be no order as to costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member(J)