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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 1104/2003

New Delhi this the 2nd day of May, 2003

**Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)**

Smt. Savitri Devi  
W/O Shri Bihari Lal,  
R/O WZ-1421/20, Nangal Rai,  
New Delhi.

..Applicant

(By Advocates Ms. Rachna Tiwari  
Learned counsel with Shri Alok  
Lakhanpal )

VERSUS

1. Govt. of NCT of Delhi  
through Ministry of Education,  
Shastri Bhawan, New Delhi.
2. The Deputy Director of Education, .  
District West, New Moti Nagar,  
New Delhi-110015

..Respondents

O R D E R (ORAL)

**( Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J) )**

Heard Shri Alok Lakhan Pal, learned counsel.

2. In this application, the applicant has impugned the order issued by the respondents dated 17.3.1992 altering her date of birth earlier given as 15.10.1950 to 15.10.1944. According to the applicant and her counsel, this order came to her notice only on 5.7.2002. Immediately thereafter, the applicant states that she has submitted a representation to the respondents on 6.7.2002. However, it is relevant to note that on a perusal of the representation dated 6.7.2002, there is no mention whatsoever by the applicant having been informed about the impugned order dated 17.3.1992 only on 5.7.2002. .

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3. Learned counsel for the applicant has drawn my attention to the list of candidates recommended by the Departmental Promotion Committee (DPC) for regularisation of services of part-time to the posts of Group 'D' which is dated 17.12.1991. He has also submitted that in Office Order No.44 dated 29.1.1992 against the applicant's name appearing at Serial No.2, her date of birth was shown as 15.10.1950.

4. The above two documents relied upon by the learned counsel for the applicant were orders issued prior to the impugned order dated 17.3.1992. These documents will not assist the applicant as far as the change of date of birth which had occurred by the aforesaid impugned order in March, 1992 which has been issued on a subsequent date. It is further relevant to note that in the impugned order, according to the learned counsel for the applicant herself, there is a note which is somewhat illegible, to the fact that the applicant should take note of the aforesaid impugned order and this note is dated 27.3.1992. In other words, no documents have been placed on record to support her averments that she had come to know of the impugned order issued in March, 1992 only on 5.7.2002. However, learned counsel submits that a representation was submitted by the applicant "immediately" on 6.7.2002 which is pending before the respondents.

5. In the above facts and circumstances, noting the submissions of the learned counsel for the applicant,

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without condoning the delay or bar of limitation which is self evident in this case on the facts mentioned above, as the applicant states <sup>that</sup> she has been informed about the impugned order dated 17.3.1992 only on 5.7.2002, if that is correct, the respondents may dispose of the aforesaid representation, if not already done, with intimation to the applicant in accordance with law.

6. OA is disposed of in limine, with the above observations .

  
( Smt. Lakshmi Swaminathan)  
Vice Chairman (J)

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