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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5381/2016**

MEGH RAJ SINGH

..... Petitioner

Through **Mr.A.K.Trivedi, Adv.**

versus

UNION OF INDIA AND ORS

..... Respondents

Through **Mr.Jitendra Kr.Singh, Standing
counsel for Railway.**

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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02.06.2016

W.P.(C) 5381/2016 & C.M.No.22433/2016

1. Learned counsel for the petitioner has made reference to the documents Annexure-P2 and P3 and submits that in the appointment letter and service record, the date of birth of the petitioner was recorded as 8th February, 1958. He submits that the original records may be called.
2. We have examined the said document and notice, possible interpolation from figure 5 to 8 in document annexure-P2, the letter of appointment. Annexure P-3 with the heading, “particular of services”, word “eight” as written appears to be somewhat different.
3. The impugned order firmly and specifically records that the Tribunal had called for the service record of the petitioner which was made available and perused. Thereafter, the Tribunal has recorded the following factual

findings:-

“A perusal of the same reveals that the date of birth mentioned in “particulars of service” is 08.02.1955 although admittedly it is clearly expressed in words but not so clearly in figures. As far as the appointment letter was concerned, the one available in service-book shows his date of birth 08.02.1955 very clearly. The school certificate relied upon by the applicant shows his date of birth to be 08.02.1957”

. We have no reason to disbelieve and discard the said findings. These are the findings of the fact. The Tribunal was cautious and had taken care to call for the original records. On personal examination of the service book, the Tribunal has arrived at the conclusion that the date of birth as recorded in the service book was 8th February, 1955.

5. We have no reason to doubt the said findings and interfere with the Tribunal's order.

6. The writ petition is dismissed. Pending application is disposed of.

SANJIV KHANNA, J

NAJMI WAZIRI, J

JUNE 02, 2016

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