

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI**

WRIT PETITION NO.1724 OF 2017

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the applicant in O.A.No.302 of 2016 on the file of the Central Administrative Tribunal, Hyderabad. He filed the said O.A. seeking a direction to the railway authorities to correct his date of birth in his Service Register from 04.05.1959 to 14.07.1961 on the basis of his corrected SSC record. By order dated 11.04.2016, the Tribunal disposed of the O.A. directing the railway authorities to consider the representations of the petitioner dated 21.03.2014 and 11.01.2016.

Complaining that the aforestated order was not complied with, the petitioner filed the present writ petition in January, 2017. Therein, he stated that he joined the service of the railways on 13.07.1987 and applied for correction of his date of birth within the probation period. He further stated that he also applied to the Board of Secondary Education for correction of his date of birth in the SSC record. According to the petitioner, his correct date of birth is 14.07.1961 but the same was wrongly mentioned as 04.05.1959 in his school records. Admittedly, the Board of Secondary Education accepted his plea and corrected his date of birth in his SSC record in the year 1992.

While so, the petitioner resigned from the service of the railways on 10.11.2014 and was thereafter employed as a Director (Commercial) in the National Mineral Development Corporation. However, as his Service Register in the railways would be the basis

for his service record in the employment of the Corporation, he approached the Tribunal seeking a direction to the railways to correct his date of birth in his Service Register so that the same could be forwarded to the Corporation for its own record.

Heard Sri Vedula Venkataramana, learned senior counsel representing M/s. Bharadwaj Associates, Advocates, appearing for the petitioner, and Smt. K.Aruna, learned standing counsel for the railways.

Smt. K.Aruna, learned standing counsel, does not dispute the fact that the petitioner applied for change of his date of birth within the stipulated time as per guidelines upon his employment in the railways. She also does not dispute the fact that the SSC record of the petitioner was corrected by the Board of Secondary Education as long back as in the year 1992.

As the basis for entry of the date of birth in the Service Register would be the school record, we see no reason as to why the railways should choose to ignore the corrected date of birth in the SSC record produced by the petitioner.

The writ petition is accordingly allowed directing the railways to act upon the corrected date of birth in the SSC record of the petitioner by making consequential corrections in his Service Register and thereafter forward the same to the National Mineral Development Corporation. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

N.BALAYOGI, J

1st FEBRUARY, 2017
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