



2025:DHC:11891-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 22.12.2025***+ **W.P.(C) 18557/2025 & CM APPL. 77082/2025, CM APPL. 80932/2025****PRABHAKARAN P.K.**

.....Petitioner

Through: **Mr. Fidel Sebastian, Adv.**
(through V/C)

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Akanksha Gupta, SPC, Ms. Archana Kumari, GP, Mr. Yash Garg, Adv.****CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed by the petitioner challenging the Order dated 12.09.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the "Tribunal") in O.A. No. 695/2018, titled ***Sh. Prabhakaran P.K. v. Chairman, Railway Board & Ors.***, dismissing the O.A. filed by the petitioner herein.
2. The petitioner further challenges the Order dated 25.09.2025 passed by the learned Tribunal by which the Review Application, being R.A. No. 153/2023, filed by the petitioner herein, was also dismissed.
3. The petitioner had filed the aforesaid O.A. seeking correction of



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his service record by recording his date of birth as 18.02.1959 instead of 18.02.1958.

4. The learned counsel for the petitioner, on instructions, submits that he does not wish to press the said relief before this Court. He, however, submits that the retiral benefits of the petitioner are not being released to him, solely on the ground that all other documents of the petitioner, including the PAN Card and the Aadhaar Card, record his correct date of birth as 18.02.1959.

5. On this submission, by our Order dated 08.12.2025, we directed the learned counsel for the respondents to take instructions as to why the retiral benefits of the petitioner, even by taking his date of birth as 18.02.1958, had not been released to him. The respondents have filed an affidavit in compliance with the said Order.

6. We, to say the least, are highly shocked by the manner in which an officer holding a Group 'D' post has been treated by the respondents. The affidavit states that while the service record shows the name of the petitioner as *Shri Prabhakaran*, the documents submitted by the petitioner, namely the Aadhaar Card and the PAN Card, reflect his name as *Shri Prabhakaran P.K*, with the date of birth as 18.02.1958, therefore, the petitioner was called upon to rectify his documents. Since he failed to do so, his application for computation of pension could not be processed further.

7. It is further stated that there was also some delay on the part of the petitioner in filing his application seeking computation of pension and, therefore, a re-medical examination of the petitioner was stated to be mandatory for the grant of pension and its computation.



8. We find that the petitioner had been urging for a change of his date of birth in the service records and had filed the above O.A. for the said purpose. He superannuated on 28.02.2018. While we understand the respondents defending the claim of the petitioner for a change of his date of birth in the service record, however, we fail to appreciate as to how the respondents could have denied him his retiral benefits solely on the ground that the petitioner was not willing to get his other documents amended to record the date of birth as reflected in the service book.

9. As far as the discrepancy in the name is concerned, once the identity of the petitioner is established, the retiral benefits ought to have been released to him on his superannuation as per his date of birth recorded in the service record. If any undertaking or affidavit was required to protect the interest of the respondents, the same could have been obtained from him, however, the respondents have acted in the most authoritative manner rather than dealing with the matter with compassion and appreciating the rights of the petitioner. After all, the claim of the petitioner is not for a bounty but his legitimate and legal rights.

10. We, therefore, while permitting the petitioner to withdraw the present petition, direct the respondents to release all retiral benefits of the petitioner by taking his date of birth as 18.02.1958 and without insisting upon the petitioner to have his name or the date of birth corrected in his Aadhaar Card, PAN Card, or any other documents, within a period of eight weeks from today, along with interest at the rate of 8% per annum. If any undertaking is required from the



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petitioner, the same be sought from him within the above period.

11. The petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 22, 2025/ys/P/dk