

(1996) 02 SC CK 0078
In the Supreme Court Of India
Case No : Civil Appeal No. 3626 of 1996

Union of India (UOI)

APPELLANT

Vs

Ram Suia Sharma

RESPONDENT

Date of Decision : 15-02-1996

Acts Referred:

Citation : (1996) 2 AWC 894 Supp : (1996) 3 JT 72(1) : (1996) 2 LLJ 939 : (1996) 7 SCC 421 : (1996) 2 SCR 732 : (1996) 2 UPLBEC 968

Hon'ble Judges : K. Ramaswamy, J;G. B. Pattanaik, J

Bench : Division Bench

Advocate : Niranjana Singh and Anil Katiyar, for the Appellant; T.G.N. Nair, for the Respondent

Final Decision : Allowed

Judgement

1. Leave granted
2. The controversy raised in this appeal is no longer res Integra. In a series of judgments, this Court has held that a court or tribunal at the belated stage cannot entertain a claim for the correction of the date of birth duly entered in the service records. Admittedly, the respondent had joined the service on December 16, 1962. After 25 years, he woke up and claimed that his correct date of birth is January 2, 1939 and not December 16, 1934. That claim was accepted by the Tribunal and it directed the Government to consider the correction. The direction is per se ille-gal.
3. The appeal is accordingly allowed. No costs.