

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 238 OF 2017
(Subject – Correction of Date of Birth)**

DISTRICT : AURANGABAD

Shri Pramod s/o Dagaduji Sangave,)
Age: 51 years, Occu. : Service as Turner,)
Government Engineering College,)
Aurangabad.)

.. APPLICANT

V E R S U S

- 1) **The State of Maharashtra,**)
Through the Secretary,)
Higher Technical Education Department,))
Mantralaya, Mumbai.)
- 2) **The Director,**)
Technical Education, Mumbai.)
- 3) **The Joint Director,**)
Technical Education, Aurangabad.)
- 4) **The Principal,**)
Government Engineering College,)
Aurangabad.)
- 5) **The Principal,**)
Govt. Polytechnic College,)
Jintur, Dist. Parbhani.)

.. RESPONDENTS

APPEARANCE : Shri J.B. Choudhary, Advocate for Applicant.

: Shri B.S. Deokar, Presenting Officer for
Respondents.

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)

DATE : 25.10.2018.

ORAL - ORDER

1. Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. The applicant has challenged the communication dated 24.06.2016 sent by the respondent No. 2 to the respondent No. 3 by filing the present Original Application.

3. The respondent Nos. 1 to 5 have filed their affidavit in reply and contended that the respondent No. 2 has not rejected the proposal sent by the respondent No. 3 regarding correction of date of birth of the applicant and the proposal was sent back to the respondent No. 2 by raising some queries. The respondent No. 3 is going to resubmit fresh proposal after complying the query made by the respondent No. 2.

4. Learned Advocate for the applicant has submitted that in view of the contention of the respondent Nos. 1 to 5 in paragraph no. 5 in their affidavit in reply, it is just and proper to dispose of the present O.A. with a direction to the respondent No. 3 to submit fresh proposal removing the objection raised by the respondent No. 2 within a stipulated time and direct the respondent No. 2 to take the appropriate decision on the proposal

received from the respondent No. 3 on merit within a stipulated time.

5. Learned Presenting Officer has submitted that the reasonable time may be given to the respondent Nos. 2 and 3 to take decision on the proposal.

6. In view of the submissions made by the learned Advocate for the applicant and the contention raised by the respondent Nos. 1 to 5 in their affidavit in reply, it is just and proper to direct the respondent No. 3 to send fresh proposal regarding correction of date of birth of the applicant after satisfying the query raised by the respondent No. 2 i.e. the Director, Technical Education, Mumbai within a period of two months from the date of this order and to direct the respondent No. 2 to take the appropriate decision on the proposal received from the respondent No. 3 within a period of one month thereafter.

7. In view of this, the O.A. is disposed of with a direction to the respondent No. 3 to send fresh proposal regarding correction of date of birth of the applicant after satisfying the query raised by the respondent No. 2 i.e. the Director, Technical Education, Mumbai within a period of two months from the date of this order and the respondent No. 2 shall take the appropriate

decision on the proposal sent by the respondent No. 3 within a period of one month thereafter and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

PLACE : AURANGABAD.
DATE : 25.10.2018.

(B.P. PATIL)
MEMBER (J)

KPB/S.B. O.A. No. 238 of 2017 BPP 2018 Correction of date of birth