

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 39 OF 2015

DIST. : AURANGABAD

Shri Trimbak Bhagaji Jadhav,
Age 52 years, Occ. Service,
R/o Nageshwarwadi,
Aurangabad.

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APPLICANT

V E R S U S

1. The State of Maharashtra,
(copy to be served with the
C.P.O., M.A.T. Mumbai,
Bench at Aurangabad)
2. The Director,
Department of Technical Education,
Maharashtra State – 3,
Corporation Road, Mumbai – 01.
3. The Joint Director of Technical Education,
Aurangabad Region,
Aurangabad.
4. The Principal, Govt. Polytechnic College,
Osmanpura, Aurangabad,
Dist. Aurangabad.

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RESPONDENTS

APPEARANCE : Shri V.B. Wagh, learned Advocate for the
applicant.

: Shri D.R. Patil, learned Presenting Officer
for respondents.

CORAM : HON'BLE SHRI JUSTICE M.T. JOSHI,
MEMBER (J)

ORAL - ORDER**(Passed on this 14th day of February, 2017)**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. The present applicant is seeking quashing of the order of the res. no. 2 dated 16.9.2014, whereby the representation of the applicant to make correction in the service record regarding his date of birth is rejected.
3. The original service record as well as the school leaving certificate of the applicant show that the date of birth of the present applicant was 30.9.1954. However, according to the applicant he was born on 24.12.1962. In support of the said contention the applicant has produced entry made in the Death & Birth register of the Gram Panchayat of Ganori, Tq. Phulambri, Dist. Aurangabad in this regard. This entry was made on the basis of order passed by the Executive Magistrate, Phulambri on 12.9.2005.
4. The learned Advocate for the applicant submits that the original record of the Gram Panchayat of the relevant period is

unavailable and, therefore, the Executive Magistrate has directed for making entry in the concerned register.

5. The learned Presenting Officer, however, submitted that there is no original entry in the record of the Gram Panchayat, which would show that the date of birth of the applicant is 24.12.1962. On the contrary the school leaving certificate would show that the applicant was born on 30.9.1954.

6. Upon hearing both the sides, in my view, entry in the school leaving certificate is not in any way shown to be wrong one by any original record of the relevant Gram Panchayat. The entry made in the said register is only on the basis of recent direction of the Executive Magistrate. The order of the respondents rejecting the claim of the applicant, therefore, cannot be faulted with.

7. In the circumstances, the original application is dismissed with no order as to costs.

MEMBER (J)