THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

M.A.No.124 OF 2016 IN
ORIGINAL APPLICATION NO.1064 OF 2015 (D.B.)

DISTRICT: PUNE

Shri Ramji G. Rajaram,

Age : 51 years,

Occ. Police Head Constable,

R/at. C/o. 'Shivam Classic', 202/A, Sec 23,

Nerul (E), Navi Mumbai 706 .... **Applicant**

Versus

1. The State of Maharashtra
   Through the Additional Chief Secretary,
   Home Department, Mantralaya,
   Mumbai 32.

2. The Director General of Police,
   M.S. Shahid Bhagatsingh Marg,
   Near Regal Cinema, Colaba, Mumbai.

3. The Commissioner of Police for Railways,
   Mumbai, having office at 4th floor,
   Area Manager Building, P.D. Mello Road,
   Wadi Bandar, Sandhurst Road (East),
   Mumbai.

4. The Deputy Commissioner of Police,
   Central Region, Railways Mumbai.

.....Respondents

Shri K.R. Jagdale, the learned Advocate for the Applicant.

Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 29.03.2016.

JUDGMENT

1. Heard Shri K.R. Jagdale , the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents

2. Dates and events seen on perusal of O.A. and M.A. are as follows :-

Sr. No.	Date	Events
1	15.07.1987	Applicant joined the employment as Police Constable.
2	20.07.1990	Applicant applied for correction in date of birth. Thereafter, Applicant was directed to furnish his application through proper channel.
3.	09.08.2007	Applicant submission application for correction of date of birth.
4.	23.11.2007	Applicant was informed that his application for correction of date of birth is rejected.
5.	25.10.2013	Applicant submitted letter repeating his request for correction of his date of birth.
6.	16.10.2015	Applicant's request was declined by impugned communication by assigning the reason that his request was already declined in 2007.

3. It is seen that had the applicant submitted his application for correction furtherance to the memorandum dated 20.07.1990 his action would have been punctual. However, applicant submitted his request for correction in date of birth after 16 years from the said memorandum, and his third request after 5 years from the rejection letter dated 23.11.2007.

4. By the amendment which is carried in the O.A., the Applicant is challenging the order dated 23.11.2007 along with challenge to the order dated 16.10.2015.

5. Seen from any angle, and in the background that applicant is in continuous service, no explanation whatsoever as come forward as for explaining delay caused in submitting application for correction within 5 years of joining the employment and towards delay of 16 years and then over 5 years in filing the Original Application..

6. After having look at various dates which merge from narration contained in paragraph no.2 foregoing, it reveals that applicant was reckless towards his claim for correction in date of birth.

7. The delay has occurred at each stage and it is not explained much less satisfactionly. Hence, present is not a fit case for granting condonation of delay.

8. Hence, Miscellaneous Application is rejected.

Sd/-
(A.H. Joshi, J.)
Chairman

prk