

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 37/2018 (S.B.)**

Kisan S/o Shyamrao Nehare,  
Aged 55 years, Occ. Service,  
R/o Garpit, Forest Quarter,  
Post Junapani, Tq. Karanja,  
District Wardha.

**Applicant.**

**Versus**

- 1) State of Maharashtra,  
in the Ministry of Revenue & Forest,  
Mantralaya, Mumbai-32  
through its Principal Secretary.
- 2) Dy. Conservator of Forest,  
Forest Division, Wardha,  
Civil Lines, Ambedkar Square, Wardha.
- 3) Range Forest Officer,  
Tq. Karanja, District Wardha.

**Respondents.**

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**Shri Mihir and Lakshmi M. Puranik, Ms. R.V. Kukday, Advocates  
for the applicant.**

**Shri V.A. Kulkarni, P.O. for the respondents.**

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**Coram :- Hon'ble Shri Anand Karanjkar,  
Member (J).**

**Dated :- 23<sup>rd</sup> September, 2019.**

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**JUDGMENT**

**(Decided on this 23<sup>rd</sup> day of September, 2019)**

Heard Ms. R.V. Kukday, learned counsel for the applicant  
and Shri V.A. Kulkarni, learned P.O. for the respondents.

2. This application is moved for the correction of date of birth in the service record. The applicant joined the service in the Forest Department as a Labourer. The applicant's educational qualification was 4<sup>th</sup> Standard passed. The applicant was in service as daily wages Labourer since 1987 and since then he was in continuous service. The benefit of G.R. dated 16-10-2012 was given to the applicant and he was regularised in service.

3. It is case of the applicant that in the month of February,2017 the applicant was called by the respondent no.3 in the office for verification of the documents. At that time, the applicant learnt that his date of birth was wrongly registered in the Government record as 17/1/1958. It is contention of the applicant that his correct date of birth is 1/1/1963. The applicant made request for correction of the date of birth in the service record, but his request was not considered, therefore, this application is filed.

4. The respondents have filed reply at page no.31. The main contention is that when the applicant was regularised in service, his documents were examined and as per the document, i.e., School Leaving Certificate the date of birth of the applicant is 17/1/1958. Now only on the basis of one Certificate issued by the Gram Panchayat, the applicant is claiming that his correct date of birth is 1/1/1963.

5. I have perused the School Leaving Certificate Annex-R-2, it is at page no.43. It is contention that due to error, the date of birth of applicant is shown as 17/1/1958, but it is incorrect. It is pertinent to note that other contents of this certificate are not disputed by the applicant. As per this School Leaving Certificate, the applicant passed 4<sup>th</sup> Standard examination in the year 1968. For sake of argument, if it is accepted that the applicant was born on 1/1/1963, then it is difficult to believe that the applicant who was only aged 5 years in 1968 passed the 4<sup>th</sup> Standard examination.

6. The learned P.O. has also invited my attention to Annex-R-3 the School admission register, the entry sr.no.426 is regarding the admission of the applicant in the School and in this admission register, the date of birth of the applicant was mentioned as 17/1/1958. It is clear that the other contents of the School Leaving Certificate at Annex-R-2 are contrary to case of the applicant that he was born in the year 1963. The document at Annex-A-2 issued by the Gram Panchayat on 3/3/2017 is not reliable document. The entries in the School register were taken long back and no justification is given by the applicant why his date of birth was recorded as 17/1/1958 when he was admitted in the school. As the applicant is disputing the old entry in the service record, the applicant was bound to adduce some cogent evidence. On the contrary, the fact mentioned in the certificate

that the applicant had passed the 4<sup>th</sup> Standard examination in the year 1968 is self-sufficient to reject his case that he was born on 1/1/1963.

7. In view of this discussion, I do not see any merit in this application. Hence, the O.A. stands dismissed. No order as to costs.

**Dated** :- 23/09/2019.

**(A.D. Karanjkar)**  
**Member (J).**

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I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 23/09/2019.  
and decided on

Uploaded on : 24/09/2019.