

**E-Court****ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW****Original Application No. 85 of 2021****Wednesday, this the 25<sup>th</sup> day of August, 2021****Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)**  
**Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)**

Kripa Shankar Sinha (Ex 205760 Sergeant) son of late Ram Shankar Sinha, R/O Badali Katara, Mirzapur.

.... Applicant

Ld. Counsel for the: **Shri Om Prakash Kushwaha**, Advocate.  
Applicant

Versus

1. Union of India through Secretary, Ministry of Defence (Army), New Delhi.
2. Chief of the Air Staff (IAF), New Delhi
3. Record Officer/Officer-in-Charge, Air Force, New Delhi.
4. Central Pension Processing Centre (CPPC) State Bank Main Branch Katra, Allahabad.
5. State Bank of India, Branch Dunkeenganj, Mirzapur through its Branch Manager.

... Respondents

Ld. Counsel for the **Shri DK Pandey**, Advocate  
Respondents. Govt Standing Counsel

**ORDER (Oral)**

1. The instant Original Application has been filed on behalf of the applicants under Section 14 of the Armed Forces Tribunal Act, 2007, whereby the applicants have sought following reliefs:-

*(a) Issue appropriate order or direction to the respondents to correct the date of birth as 17.07.1932 in place of 12.12.1932 in pension records and pension account PPO unique I.D. No. RO 3424068 PPO No S/25557/67, A/C No-SBI 11137820121 of applicant which is contained as Annexure No 1 to this O.A.*

*(b) Issue any other order or direction deemed just and equitable under the circumstances of the case in favour of applicant.*

*(c) Allow the original application with consequential benefits.*

2. Brief facts of the case are that No. 205760 Kripa Shankar Sinha was enrolled in the Royal Indian Air Force (RIAF) (now IAF) on 24.11.1949. At the time of enrolment his date of birth was not recorded in his service documents but his age was mentioned as 17 years whereas as per High School Certificate his date of birth is 17.07.1932 (Annexure No. 2 of O.A.). In discharge certificate his date of birth is mentioned as 23.08.1932 (Annexure No. 3 to O.A.) whereas PCDA (P) Allahabad vide letter dated 10.01.1968 notified his date of birth as 17.07.1932 (Annexure No. 4 of O.A.). After discharge from Air Force applicant was re-enrolled as an Auditor in the office of Controller of Defence Accounts (Pensions) Allahabad and his date of birth was notified as 17.07.1932 which was also verified from IAF vide letter dated 08.06.1976 (Annexure No. 5 of O.A.). On attaining the age of 80 years, applicant submitted an application dated 20.07.2012 to State Bank of

India, Mirzapur which issued letter dated 28.09.2012 to C.P.P.C. Allahabad for enhanced rate of pension. The grievance of applicant is that in account No. 11137820121, vide which he is receiving pension from IAF, his date of birth is shown as 12.12.1932 whereas the correct date of birth should have been 17.07.1932 as recorded in all pension related documents and Adhar Card which is required to be linked with aforesaid account for drawing pension and the same is not being linked to pension account owing to different date of birth.

3. Submission of learned counsel for the applicant is that applicant's correct date of birth is 17.07.1932 as recorded in all pension related papers whereas in pension account No. 11137820121 his date of birth has erroneously been mentioned as 12.12.1932 which is required to be corrected to link Adhar Card with pension account. His further submission is that in Adhar Card No. 7059 1410 9055 applicant's actual date of birth is 17.07.1932. He pleaded for correction of date of birth in State Bank of India pension account No. 11137820121.

4. Per contra, the respondents have admitted vide para 4 of counter affidavit that on account of correction of date of birth a letter dated 03.08.2018 has already been issued to PCDA (P), Allahabad for doing the needful at their end as they are competent authority for endorsement of correct date of birth.

5. We have heard learned counsel for the parties and perused the records.

6. After perusing all pensionary documents with regard to date of birth it emerges as under:-

(i) Date of birth recorded in High School Certificate-  
17.07.1932.

(ii) Date of birth recorded in account No. 10088650340-(PPO  
Unique ID RO 3522023)17.07.1932.

(iii) Date of birth recorded in Adhar Card No. 7059 1410 9055-  
17.07.1932.

(iv) Date of birth recorded in account No. 11137820121 (PPO  
Unique ID RO 3424068)-12.12.1932.

7. From the aforesaid, it is clear that in all documents applicant's date of birth is mentioned as 17.07.1932 whereas in pension account No. 11137820121 (PPO Unique ID RO 3424068), it has been mentioned as 12.12.1932 which seems to be wrong. The correct date of birth in respect of applicant as recorded in High School Certificate is 17.07.1932 which is required to be endorsed in pension account No. 11137820121 (PPO Unique ID RO 3424068).

8. In view of the above, the O.A. is **allowed**. The respondents are directed to make correction in date of birth and notify correct date of birth of applicant as per date of birth mentioned in High School Certificate within a period of three months from today.

9. No order as to costs.

10. Pending application(s), if any, shall stand disposed off.

(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)  
Member (A) Member (J)  
Dated : 25<sup>th</sup> August, 2021  
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