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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2106/02

Thursday, this the 20th day of March, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri Govindan S. Tampi, Member (A)

Suneel Kumar s/o Shri Sunehri Lal
r/o 11-A, Maya Bhawan,
North Arjun Nagar, Agra

Applicant

(By Advocate: Shri D.P. Sharma)

Versus

1. Union of India
through Secretary, Govt. of India
Ministry of Communication
Dept. of Posts, New Delhi

2. The Postmaster General
Agra Region, Agra

3. The Sr. Superintendent Postoffice
Agra Division, Agra

4. The Secretary
Central Board of Higher Education
Arya Samaj Road,
Uttam Nagar, New Delhi

Respondents

(By Advocate: Shri S.M. Arif for respondent Nos. 1 to 3 -
None for respondent No. 4)

O R D E R (ORAL)

Justice V.S. Aggarwal:

For the post of Postal Assistant, the basic qualification prescribed is that the candidate must pass 10+2 examination. The applicant holds a certificate from the Central Board of Higher Education from Uttam Nagar, New Delhi. He had been selected for the post but the candidature had subsequently been cancelled on the ground that the certificate of the Central Board of Higher Education is not recognised by the respondent Nos. 1 to 3.

2. Learned counsel for applicant contends that the applicant thereafter had joined the Agra University had graduated and thereafter passed and obtained the degree

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for Law also, and consequently, the candidature of the applicant cannot be rejected.

3. We have carefully considered the plea of the applicant. Once the basic requirement is to pass 10+2 examination from a recognised Institution, it is mandatory that it should be so passed and the higher qualification in this regard becomes immaterial. We are not expressing any opinion for purposes of the present order about the subsequent degrees obtained by the applicant because that is not ⁱⁿ controversy before us. In fact, our attention has been drawn to a certificate of 23.1.1999 issued by the said Central Board of Higher Education, which reads:-

"Stated that Govt. of India does not recognise the Intermediate examination conducted by the Central Board of Higher Education at Arya Samaj Road, Uttam Nagar, N.Delhi-59."

It clearly shows that even the said Board, in an unambiguous terms, had informed that Govt. of India does not recognise the same to be an examination equivalent to Intermediate Examination. In that event, the only conclusion that can be arrived at that this applicant did not have the basic qualification to state that he was qualified to take the test, when he had no certificate ^{board} from a recognised ~~university~~ of 10+2.

4. Resultantly, the impugned order cannot be stated to be illegal. The application must fail and is accordingly dismissed.

(Govindan S. Tampli)
Member (A)

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(V.S. Aggarwal)

Chairman