



Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.2581/2014

Tuesday, this the 18th day of February 2020

**Hon'ble Sri Justice L. Narasimha Reddy, Chairman
Hon'ble Sri A. K. Bishnoi, Member (A)**

Shri Parvesh Kumar s/o Shri Satish Kumar
r/o VPO Bamnoli
Teh. Bahadurgarh,
Distt. Jhajjar, Haryana, 125407

Age 28 years
(Candidate for the post of Fire Operator)

..Applicant
(Sri Ajesh Luthra, Advocate)

Versus

1. Govt. of NCT of Delhi
Through the Chief Secretary
5th Floor, Delhi Sachivalaya, New Delhi
2. The Director
Delhi Fire Service
GNCT of Delhi
Connaught Place, New Delhi

...Respondents

(Sri Amit Anand, Advocate)

OR D E R (ORAL)

Justice L. Narasimha Reddy:

The Delhi Fire Service, the 2nd respondent herein, intended to appoint the Fire Operators. One of the



essential conditions for the post is that the candidate must hold the driving licence for transport vehicles.

2. The notification in this behalf was issued in the year 2009. The applicant responded to the same and enclosed a copy of driving licence. He was selected and offer of appointment was issued on 02.05.2011. The next step was to verify the certificate. The 2nd respondent addressed a letter to the authority, which is said to have issued the driving licence to the applicant. Through a communication dated 21.03.2012, the Regional Transport Authority (RTA), Meerut, from where the applicant is said to have obtained the driving licence, informed the respondents that the driving licences produced by the applicant and 104 others, which are forwarded to them, are found to be fake. In view of this development, the respondents did not issue order of joining to the applicant.

This O.A. is filed with a prayer to direct the respondents to appoint the applicant after obtaining a fresh verification report.

3. The respondents filed counter affidavit opposing the O.A. It is stated that the driving licences submitted by the



selected candidates were sent for verification and it was found that many of them were fake. They submit that holding of the transport vehicle driving licence is one of the essential conditions and once it emerged that the licence submitted by the applicant is a fake one, the question of appointing him does not arise.

4. We heard Sri Ajesh Luthra, learned counsel for applicant and Sri Amit Anand, learned counsel for respondents.

5. It has already been mentioned that one of the essential conditions is that the candidate must hold the transport vehicle driving licence. The one submitted by the applicant was sent for verification to the RTA, Mathura. In fact, as many as 105 candidates, including the applicant, who were selected at that time, have produced the driving licences, said to have been issued by the RTA, Mathura. In their letter dated 21.03.2012, it was clearly mentioned that the records were verified and the licence produced by the applicant, was not found to be issued by them. In case, the applicant felt aggrieved by the view taken by the RTA, Mathura, he was expected to pursue remedies before the appropriate forum. He did not do so.



6. In the counter affidavit, it is stated that another letter was received on 09.11.2013 said to be issued from RTA, Mathura, stating that the driving licence obtained by the applicant is valid one. The respondents have categorically taken the view that such a letter is obviously a forged one. We too gain the same impression. The reason is that nobody asked the RTA, Mathura to further verify, after they gave the reply on 21.03.2012. The pleadings as well as prayer in the O.A. suggest that the applicant made an effort to get such a letter addressed in the year 2013.

7. We do not find any merit in this O.A. It is accordingly dismissed. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 18, 2020
/sunil/