

Central Administrative Tribunal  
Principal Bench: New Delhi

O.A. No. 154/95

New Delhi this the 20th October 1997

Hon'ble Shri S.R. Adige, Vice-Chairman (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

Baldev Raj,  
S/o Shri Sant Lal khurana,  
R/o 4/93, Subhash Nagar,  
New Delhi.

.....Applicant  
(By Advocate: Shri S.C.Luthra)

Versus

1. Union of India  
through the Secretary,  
Ministry of Communications  
Department of Posts,  
Dak Bhawan,  
New Delhi-110001.
2. Superintendent, R.M.S.  
H.R. Dn.,  
Ambala-133001.

.....Respondents  
(By Advocate: Shri M.M.Sudan)

ORDER (Oral)

By Hon'ble Shri S.R. Adige, Vice-Chairman (A)

Applicant impugns respondents' order dated 4.10.94 rejecting his candidature for the post of Sorting Assistant, on the ground that the certificate of Utter Madhyamik Examination is not equivalent to 10+2 standard.

2. The aforesaid impugned orders have been passed by the respondents, in the background of our directions dated 12.8.94 in OA 731/93 also filed by the applicant.

3. It is not denied that on the relevant date i.e. 26.6.92, the applicant was a Graduate of the Maharishi Dayanand University Rohtak which is a

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recognised University, he had obtained the said Graduation degree on the basis of his having cleared the Uttar Madhyamik Exam.

4. It also cannot be denied that the graduation qualification of the applicant obtained was superior to 10+2 standard, and under the circumstances we hold that it would neither be fair nor just to withhold from the applicant <sup>his</sup> appointment as Sorting Assistant.

5. Under the circumstances the impugned order dated 4.10.94 rejecting applicant's candidature for the post of Sorting Assistant is quashed and set aside. Respondents are directed to reconsider applicant's candidature for appointment to the said post within two months from the date of receipt of a copy of this judgment, in the light of his selection.

6. The O.A. stands disposed of accordingly. No costs.

A. Vedavalli  
(DR. A. VEDAVALLI)  
Member (J)  
/GK/

S. R. Adige  
(S.R. ADIGE)  
Vice Chairman (A)