

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench

O.A. No. 1598 of 1996

New Delhi, dated this the 21st January, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Ajay Kumar,  
S/o Shri Shish Pal,  
R/o 482/B-8, Paryatan Vihar,  
Vasundara Enclave,  
Delhi-110096.

... APPLICANT

(By Advocate: Shri B.B.Raval)

VERSUS

1. U.O.I. through  
the Secretary,  
Staff Selection Commission,  
Block No.12, CGO Complex,  
Lodhi Road,  
New Delhi-110003.

2. The Commissioner of Police,  
Delhi Police,  
Police Headquarters,  
I.P. Estate,  
New Delhi-110002.

..... RESPONDENTS

(By Advocate: Shri V.S.R.Krishna)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Applicant seeks quashing of order dated 20.6.96 (Ann. A), whereby his candidature for the post of Sub-Inspector (Executive) in Delhi Police Examination, 1995 has been cancelled and his prayer for being permitted to be interviewed has been rejected, on the ground that he had not

produced the necessary evidence to the satisfaction of the Respondents to establish that he was a graduate on or before 1.8.95.

2. Admittedly the applicant appeared in the written exam. for candidature for the post of S.I. of Police (Executive), Delhi Police on 2.7.95 and after clearing the written exam. he was sent for physical endurance test which he also qualified. However, although he presented himself, he was not allowed to take the interview on 14.5.96, on the ground that he had failed to submit the degree certificates in original.

3. We have heard applicant's counsel Shri B.B. Raval and the respondents' counsel Shri V.S.R.Krishna.

4. Shri Krishna has stated that as per rules the applicant had to have the essential academic qualification of a degree of a recognised university or its equivalent on or before 1.8.95, and has invited our attention to the contents of interview letter, wherein the applicant had been directed to produce the degree certificate in original, in support of his educational qualifications as on 1.8.95 issued by the recognised university only. The said letter also states that the provisional certificate/statement of marks issued by the colleges/institutions would not be accepted. The applicant states that he has produced the marks statement in original issued by the University itself for B.A. Part I Exam. held in Oct./Nov. 1994 and B.A. Part II Exam. held in March/April, 1995.

Applicant also states that he had produced provisional certificate issued by the university on 1.11.95 indicating the marks he had obtained in the B.A. Exam. in Part I and Part II which showed that he had passed the said exam.

5. Applicant's claim to have produced the provisional certificate issued by the university has not been specifically denied by the respondents in their reply.

6. If there was any doubt as to whether the applicant had a degree qualification as on 1.8.95 or not, it has been set at rest by the certificate dated 19.8.96 issued by the Controller of Exams., University of Osmania, Hyderabad produced by the applicant and an attested photo copy of which is taken on record certifying that he had passed the B.A. (External) Exam. held in March/April, 1995 the results of which were declared on 10. 7.95. There can therefore be no doubt that the applicant had the required degree qualification as on 1.8.95.

7. We note that by our interim order the respondents have already been directed to keep one post of vacant post till the disposal of the O.A.

8. In the fact and circumstances of this particular case, therefore, we hold that it is fit and proper to direct the respondents to take the interview of the applicant within three weeks from to-day, and in case the

applicant clears the same and is otherwise found eligible, to issue him the necessary order appointing him as S.I. of Police (Executive) as a recruit of 1995 Exam. and send him for training along with others of that batch. We direct accordingly.

9. This O.A. is allowed to the extent as directed in Paragraph 8 above. No costs.

*A Vedavalli*

(Dr. A. Vedavalli)  
Member (J)

*S.R. Adige*

(S.R. Adige)  
Member (A)

cc.