

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2538/97

New Delhi this the 29th day of July, 1998.

Hon'ble Sh. T.N. Bhat, Member(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Ex. W/Ct. Rajrani No.626/L,
R/o C-1435, Jahangir Puri,
Delhi-33. Applicant

(through Sh. U. Srivastava, advocate)

versus

1. The Commissioner of Police,
Police Headquarters,
MSO Building,
I.P. Estate,
New Delhi.

2. The Dy. Commissioner of Police,
Prov & Lines, Delhi. Respondents

(through Sh. Bhasker Bhardwaj for Sh. Arun Bhardwaj)

ORDER(ORAL)

Hon'ble Sh. T.N. Bhat, Member(J)

We have heard the learned counsel for the parties for final disposal of the O.A. at the admission stage itself.

2. The applicant who had been appointed as a Woman Constable in Delhi Police has filed this O.A. assailing the order dated 15.5.97 by which Respondent No.1 has rejected the appeal of the applicant as also the basic order of termination of her services dated 14.10.96.

3. Although the impugned order of termination does not state any ground on the basis of which the services of the applicant had been terminated, it is no longer disputed by the respondents that the termination

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order was based upon production of a certificate by the applicant which was allegedly fake, in that, the Institution which had issued the certificate was allegedly not a recognised Institution.

4. The certificate produced by the applicant has been issued by the Board of Adult Education and Training, New Delhi. The applicant has annexed to the O.A. as Annexure A-7 the copy of the Office Memorandum issued by the Assistant Education Officer in the Ministry of Human Resource Development, Department of Education of Delhi dated 12.12.83 which states that the Board of Adult Education & Training, Delhi is a recognised Institution and the certificates issued are considered to be equivalent to 10+2 examination certificates of the C.B.S.E. Delhi.

5. The applicant has also annexed to the O.A. the copies of two judgements passed by this Tribunal itself according to which Board of Adult Education and Training Delhi has been held to be an accredited Board. It has further been held that the certificates issued by the said Board are very much valid. These judgements have been passed in O.A. No. 557/86 decided on 20.12.88 and O.A. No. 1434/91 decided on 1.11.91.

6. The respondents have taken the plea that they made a reference to the Assistant Director of Education (SCHS) Delhi and they received a reply that no

before

Board in the name of Board of Adult Education and Training was recognised by the Government and the certificates issued by the Board were bogus. However, the letter by which the Assistant Director had replied to the query of the respondents has not been annexed to the counter.

7. In view of what has been held and discussed above, we find that this is a fit case where the respondents should be directed to reconsider the entire issue and take a final decision within a fixed time.

8. In view of the above, this O.A. is partly allowed, the impugned order rejecting the representation of the application is hereby set aside and the respondents are directed to take a fresh decision in the matter, considering all the documents, the earlier judgements of the Tribunal referred to above and the observations made by us hereinabove. The decision may be taken within 2 months from the date of receipt of a copy of this order. If the applicant feels aggrieved by the decision so taken by the respondents, she will be at liberty to file a fresh O.A., if so advised.

No costs.

S. P. Biswas
(S.P. Biswas)
Member(A)

T. N. Bhat
(T.N. Bhat)
Member(J)