



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 3509/2019

Today this the 8th day of September, 2020
Through video conferencing

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

Birender Lamba, Age-24 years,
 Sub:-Appointment
 S/o Ramesh Chand
 Roll No – 2201469074
 VPO - Garhi Ruthal,
 Ateli Mandi,
 Mahendergarh, Haryana-123021

... Applicant

(By Advocate : Mr. Sachin Chauhan)

Versus

1. Union of India
 Through its Secretary,
 Ministry of Defence,
 South Block,
 New Delhi.
2. The Joint Secretary & CAO,
 Govt. of India,
 Ministry of Defence,
 Room No-170, E-Block,
 Dara Sukoh Road Near Sena Bhawan,
 New Delhi-110011
3. The Chairman,
 Staff Selection Commission,
 Block No-12, CGO Complex,
 Lodhi Road, New Delhi-3.
4. The Secretary,
 Ministry of Home Affairs,
 North Block, Central Secretariat,
 New Delhi-1,
5. The Director,
 Central Forensic Science Laboratory,
 Directorate of Forensic Science Services



Ministry of Home Affairs, Government of India
Plot # 2, Sector 36-A, Dakshin Marg,
Chandigarh - 160036

.. Respondents
(By Advocates: Mr. Y.P. Singh and Mr. K.M. Singh)

ORDER (ORAL)

JUSTICE L.NARASIMHA REDDY, CHAIRMAN

The respondents initiated steps for selection and appointment to the post of Multi Tasking Staff. Reservation was also provided in favour of Physically Handicapped persons. The applicant responded to the advertisement and claimed the benefit of reservation in favour of PH category. In the written test, he emerged as successful and the dossier was forwarded to the appointing authority. At that stage, doubt was entertained as to the genuiness of the signatures of the applicant on various documents, pertaining to the examination. His handwriting samples were also collected at various stages. The matter was said to have been referred to the Forensic Science Laboratory, Chandigarh.

2. This OA is filed by the applicant with a prayer to direct the respondents to join duty in the post of MTS on the basis of offer of appointment dated 09.07.2018.

3. The respondents contend that it was only after due verification that he was selected and issued offer of



appointment and that there was no basis for the respondents in delaying the process. The respondents filed a detailed counter affidavit. It is stated that some doubt was entertained about the genuinity of the signature of the applicant on various documents and accordingly the matter was referred to the Forensic Science Laboratory. It is stated that the samples were collected as desired by the Laboratory and the applicant would be considered for appointment as soon as the final result emerges.

4. Heard Mr. Sachin Chauhan, learned counsel for the applicant and Mr.Y.P.Singh and Mr.K.M.Singh, learned counsel for the respondents.

5. The OA has undergone several stages. After hearing the parties at some length, we passed a detailed order on 04.08.2020 directing that the respondents 1 and 2 shall issue order of appointment forthwith by incorporating a clause to the effect that it shall be subject to the findings of the Forensic Science Laboratory, Chandigarh – Respondent No.5. It was also made clear that if any, fact adverse to the applicant is found, he shall be liable to vacate the office without prejudice to the right to challenge the report and to pursue the further remedies.



Today it is reported that the applicant has since been issued order of appointment and that he has joined duty.

6. The enquiry as regards the genuineness of the signatures and the handwriting of the applicant is in progress. It is only the Forensic Science Laboratory that can record a finding in this regard. Though, the applicant took exception to the collection of the repeated samples, we are not inclined to interfere with the same. Now that all the samples are collected Respondent No.5 needs to submit his report.

7. We, therefore, dispose of the OA directing the respondents that—

(a) On receipt of the report from Respondent No.5, Respondent Nos. 1 and 2 shall issue notice to the applicant, in case any action is proposed against him.

(b) In case the final order passed by the Respondents 1 and 2 is against the applicant, it shall not be put into force for a period of four weeks from the date of service thereon to the applicant.

There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman