

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

**O.A. No.1698/2020
MA No.2210/2020**



This the 11th day of November, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Shri Navneet

Age -34

Sorting Assistant, Group 'C'

S/o Shri Shabad Mal

Working at SPC, AMPC, IGI Airport

New Delhi – 110 037.

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Applicant

(through Ms. M. Sharda, Advocate)

Versus

1. Union of India
Through Secretary cum Director General of Posts
Ministry of Communications
Dak Bhawan
New Delhi – 110 001.
 2. Assistant Director (Vig. & Inv.)
O/o Chief Post Master General
Department of Posts, Delhi Circle
New Delhi – 110 001.
 3. Senior Superintendent
Department of Posts
O/o Senior Superintendent
Airmail Sorting Division
New Delhi – 110 021.
- ... Respondents

(through Sh. Ranjan Tyagi, Advocate)

ORDER (Oral)**Hon'ble Mr. Pradeep Kumar, Member (A):**

The applicant herein was recruited for the post of Sorting Assistant in the Department of Post during the recruitment held in the year 2011-12. He was successful in the said examination and he joined his duties on 11.03.2014.



2) It appears that certain information came to the notice of the respondents and a team was constituted in March 2016 to ascertain the genuineness of the candidature of certain candidates including that of the applicant. During this process, it was found that the signatures put by the candidate on his answer sheet in recruitment exam, did not match with his signatures at other places.

In follow up thereof, a charge memo was issued on 26.02.2019, alleging impersonation on the part of the applicant in the said recruitment examination. The applicant submitted his clarification on 6.3.2019.

Subsequently, one FIR was also registered on 29.03.2019.

3) It is against this chargesheet dated 26.02.2019, that the applicant felt aggrieved and preferred the instant OA with a prayer to stay the chargesheet. An interim relief has also been sought to stay the proceedings in follow up of this chargesheet.



The applicant relies upon a judgment by Hon'ble High Court of Punjab in CWP No.27011/2019 dated 20.09.2019, Sandeep Kumar Vs. UOI, and a judgement in OA No.612/2009 by Allahabad Bench of the Tribunal on 04.03.2011, in Sanjeev Kumar Jaiswal Vs. UOI.

It is also alleged that there has been delay of seven years in issuing the said chargesheet.

5) The matter has been heard at admission stage.

6) The instant case pertains to alleged impersonation during the recruitment examination. Since this is a case of alleged impersonation during the recruitment examination and the department is proposing to hold an inquiry to establish the truth or otherwise in matter, this is not a stage for any interference by the Tribunal. The applicant has already given his defence to the said chargesheet on 06.03.2019. The applicant can put forth all the arguments in his defence before the relevant enquiry authority.

Accordingly, the OA is considered as premature at this stage. It is expected that the applicant shall have access to all the departmental channels for redressal of his grievance, if any.



In keeping with above, the OA is dismissed as premature at this stage.

7) Pending MA also stands disposed of.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

/sunita/uma/anjali/neetu/ankit