

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00016/2021

Date of Order: This, the 20th Day of January, 2021

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



1. **Mrityunjoy Rajbongshi**, aged about 25 years
S/O-Kamal Krishna Roy
Resident of Damra Road
Dist-Goalpara, PIN-783121.
2. **Amit Roy**, aged about 23 years,
S/O-Monoj Roy
Resident of Village-Bidyapara
B.N. College Road, P.O. - Bidyapara
Dist-Dhubri, PIN-783323.
3. **Ritu Rakshit** aged about 19 years
S/O-Bijoy Rakshit
Resident of R.K. Mission Road, Ward No.15
P.O.-Bidyapara, P.S.- Dhubri
Dist:-Dhubri, PIN-783324.
4. **Sarkar Eliyach Kanchan** aged 22 years
S/O-Abul Kalam Sarkar
Resident of Vill.-Belguri Part-II
P.O.-Belguri, P.S-Agomani
Dist:-Dhubri, PIN-783334.
5. **Chandana Basumatary**, Age about 21 Years
D/O Late Mopendra Nath Basumatary
Resident of Vill:-Kazigaon,
P.O. - Kazigaon, Dist:-Kokrajhar, PIN-783334 .

... Applicants

O.A. No. 040/16/2021

-Versus-

1. **The union of India**

Represented by the Secretary, Ministry of Communication, Dak Bhawan, Sansad Marg New Delhi-110001.

2. **The Director General of Postal Service**

Dak Bhawan, Sansad Marg, New Delhi-110001.

3. **The Chief Post Master General**

Assam Circle, 4th Floor, Meghdoot Bhawan, Paanbazar, Guwahati-781001.

4. **The Superintendent of Post Office**

Goalpara Division, District-Dhubri Pin-783301

5. **The Inspector of Post office**

Goalpara Sub-Division.



...Respondents.

For the Applicant : Sri J. Kalita, Sri D. Kalita and Sri M. Rahman

For the Respondents : Sri R. Hazarika, Addl. CGSC

O R D E R (ORAL)

MANJULA DAS, MEMBER (J):-

This matter has been taken up through video conferencing. At the outset, prayer of the applicants for

filings the instant petition jointly in a single application under Section 4(5)(a) of the CAT (Procedure) Rules 1987 is hereby allowed.

2. This O.A. has been preferred by the applicants under Section 19 of the Administrative Tribunals Act, 1985 with the following reliefs:-



“8.1. To set aside and quash the impugned select list dated 20.12.2020 published by the respondent authorities declaring the result of the advertisement vide Notification No. STAFF/8-31/15(P-1) and appoint the applicants against the post of candidates got selected by submitting forged documents, after following due procedure immediately;

8.2 To direct the respondent authorities to consider the candidature of the applicant on their own merits and appoint them against those who have been selected on the basis of submission of fake documents;

8.3 To direct the respondent authorities to take initiative to process criminal proceeding against the persons who have submitted fake/forged documents to get selected;

8.4 Cost of the application

8.5 Any other relief/reliefs as the Hon'ble Tribunal may deem fit and proper.”

3. Sri J. Kalita, learned counsel for the applicants and Sri R. Hazarika, learned Addl. CGSC for the respondents are present.



4. From the perusal of records, it is seen that before approaching this Tribunal, the applicants have not exhausted the alternative remedies as per Rule 20 of the Administrative Tribunals Act, 1985. In view that, with the consent of the learned counsel for the applicant, present O.A. is disposed of in presence of Sri R. Hazarika, learned Addl. CGSC for the respondents with the direction to the applicants to produce this O.A. before the appropriate authority within a period of 10 (ten) days from the date of receipt a copy of this order. On receipt of such, the competent authority shall treat the said O.A. as a comprehensive representation and verify the issue as regards to the marks obtained by the applicants as well as one incumbent namely Hasinur Rahman on genuinity of the certificates and take a decision as per law within a period of three months thereafter.

5. It is made clear that whatever decision to be passed by the appropriate authority should be a

reasoned and speaking and shall be communicated to the applicants forthwith.

6. Till such time, operation of the impugned select list dated 20.12.2020 in pursuance of the advertisement No. STAFF/8-31/15(P-I) to the extent the Goalpara Division is concerned, shall not be given effect to.

7. No order as to costs.



(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

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