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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 16th day of August 2000.

Original Application no. 613 of 1996.

Hon'ble Mr. S.K.I. Naqvi, Member-J  
Hon'ble Mr. M.P. Singh, Member-A

Noorul Hafiz,  
S/o late Shri Abdul Hafiz,  
R/o Mohalla Kazi, near Police Chukki,  
Sahswar, Distt. Badaun.

... Applicant

C/A Sri B. Ram

Versus

1. Union of India, through Secretary,  
Department of Posts India Ministry of  
Communication, Dak Bhawan, Parliament Street,  
New Delhi.
2. Chief Post Master General,  
U.P. Circle, Hazratganj, Lucknow.
3. Post Master General, Bareilly Region,  
Bareilly.
4. Superintendent of Post Offices,  
Badaun Division, Badaun.

... Respondents.

C/Rs Sri S.C. Tripathi

See



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O R D E R

Hon'ble Mr. S.K.I. Naqvi, Member-J.

In response to notification dated 27.5.95 in Amar Ujala. The applicant also applied for the post of Postal Assistant in Badaun Division and vide annexure A-7, he was notified on 22.11.95 amongst those who successfully cleared selection, but vide order dated 27.3.96 the candidature of the applicant has been cancelled because of his having opted vocational subject in his intermediate examination. The applicant has come up seeking relief against this order.

2. The respondents have contested the case and in para 7 and 8 of their CA, it has been pleaded that vide communication dated 25.1.96, the CPMG, U.P. Circle, Lucknow, has ordered "that till the vocational stream matter is got clarified from the Directorate, the candidates opting vocational subjects including vocational Hindi, Vocational English, Gen. Foun. on subject and Banking in 10+2 Intermediate, may not be appointed." Therefore, the candidature of the applicant has been cancelled because of his having passed Intermediate examination in 1993 from Board of High School and Intermediate, U.P. in vocational subject.

3. Heard learned counsel for the parties and perused the record.

Seen



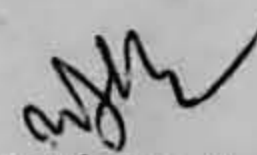
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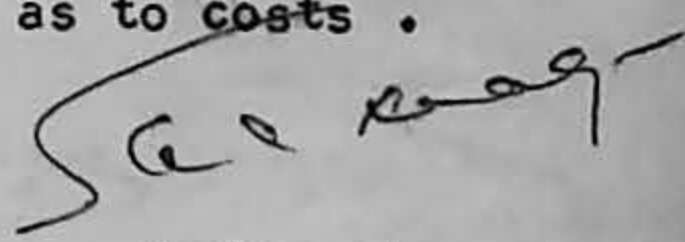
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4. There is clear mention in the advertisement, through which the post has been notified, <sup>that</sup> with the minimum educational qualification required is that the applicant <sup>must</sup> who have passed 10+2 class or equivalent examination. There is no mention that those who have passed this examination in vocational subject will not be considered and, therefore, it was incumbent upon the respondents to mention reasons as to why those candidates who have passed 10+2 examination with vocational subject are not eligible for the post, and that too the candidates who have passed the examination from U.P. Board, which is the Govt. control body, and In the absence of any good reason to exclude this qualification of having passed 10+2 with vocational subject, We, don't find the impugned order and notification, under which the impugned order <sup>has</sup> have been passed is sustainable and quashed accordingly.

5. The respondents are, therefore, directed to reconsider the candidature of the applicant in the light of above observation within a period of 3 months from the date of communication of this order.

6. There shall be no order as to costs .

  
Member-A

  
Member-J

/pc/