

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.**

ALLAHABAD THIS THE 18<sup>TH</sup> DAY OF MARCH, 2005.

**ORIGINAL APPLICATION No. 539 OF 2004.**

**HON'BLE MR. JUSTICE S.R. SINGH, VICE-CHAIRMAN.**  
**HON'BLE MR. D.R. TIWARI, MEMBER- A.**

Smt. Nirmala Devi w/o Brij Bhushan Pathak  
R/o Post Office- Kanuwani,  
Pargana- Kerakat, Distt. Jaunpur.

.....APPLICANT

Counsel for the Applicant: - Sri L.C. Yadav

**V E R S U S**

1. Union of India through its Secretary,  
at New Delhi.
2. The Registrar, Sampurnanand University,  
Varanasi.
3. The Superintendent of Post Offices,  
Jaunpur.
4. Ashok Kumar Yadav, S/o Sri Gulab Yadav,  
R/o Pindari, P.O. Kanuwani, Kerakat,  
Distt. Jaunpur. ....RESPONDENTS

Counsel for the Respondents: - Sri Saumitra Singh

**O R D E R**

**BY HON'BLE MR. JUSTICE S.R. SINGH, VC.**

The applicant and respondent No. 4 were amongst  
the candidates for the post of EDBPM, Post Office  
Kanuwani, Jaunpur. The respondent No 4 was selected and

109

2

appointed by the respondents and challenge to the appointment of 4<sup>th</sup> respondent is on the ground that the educational certificate and mark sheet on basis of which the 4<sup>th</sup> respondent was selected and appointed to the post of EDBPM was forged and bogus. The applicant's claim to have passed Purva Madhyama examination in the year 1978 with Roll No. 10655 A was enquired and on inquiry it was found that no such roll number was allotted to any candidate in Purva Madhyama Examination in the year 1978. The respondents have placed reliance on a letter dated 19.01.2001 a copy of which has been annexed as Annexure- 2 to the CA according to which Roll No. 10655A was not allotted to any candidate in Purva Madhyama Examination, 1978. The said letter purports to have been issued by the Up Kulsachiv (Pariksha), Sampurnanand Sanskrit University, Varanasi to Superintendent of Post Offices, Jaunpur. The applicant on the other hand has produced original certificates before us which purports to have been issued by the said University.

2. As question of fact needs to be examined in consonance with the principles of natural justice, we are of the view that the Superintendent of Post Offices, Jaunpur may be called upon to examine the matter and take appropriate decision by means of reasoned order after affording opportunity of show cause to the applicant as well as the respondent No. 4. The applicant shall have liberty to produce his documents and move an application before Superintendent

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31

of Post Offices, Jaunpur for summoning the relevant documents from the University. The Superintendent of Post Offices, Jaunpur shall after conducting proper enquiry and after affording opportunity of hearing to the applicant as well as the 4<sup>th</sup> respondent decide the controversy in accordance with law and by means of reasoned and speaking order within 4 months from the date of communication of this order.

3. The OA is disposed of accordingly with no order as to costs.

*P. D. Rao*

*R. A. J.*

MEMBER- A.

VICE-CHAIRMAN.

/ANAND/