

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

Allahabad this the 17th day of July 2000.

Original Application No. 1705/1992.

CORAM :-

Hon'ble Mr. Justice R. R. K. Trivedi, V.C.

Hon'ble Mr. S. Dayal, Member Administrative.

Rajvir Singh, S/o late Guljari Lal,

Ex-Tele-com. Office Assistant in the Office of

Divisional Engineer Phones (Administration) in the

office of Divisional Manager, Telephones, Agra.

At present resident of village Sahpau, P.O. Sahpau,
Disst Mathura.

.....Applicant.


Counsel for the applicant:- Sri Arun Tandon.

V E R S U S

1. Union of India, through Secretary, Ministry of
Tele- communications, Door Sanchar Bhavan,
New Delhi.
2. Director General, Department of Tele-communication,
New Delhi.
3. Assistant General Manager (Phobes) Office of the
General Manager, Tele-communication, U.P. Circle,
Hazratgang, Lucknow.
4. District Manager, Telephones, Agra.
5. Assistant Engineer (Vigilance), Agra Telephones,
Agra.

.....Respondents.

Counsel for the respondents:- Sri Ashok Mohiley.




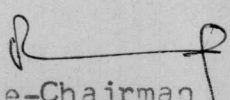
ORDER

(By Hon'ble Mr. Justice R. R. K. Trivedi, V.C.)

Heard Shri Arun Kumar Tandon, learned counsel for the applicant and Sri Ashok Mohiley, learned counsel for the respondents. This application has been filed challenging the order dated 02.09.1985 and 31.01.1990 (annexures 1 and 2 of the O.A.).

2. It appears that applicant Sri Rajvir Singh was appointed as temporary Tele-com. Office Assistant on the basis of High School Certificate, Intermediate Mark-Sheet, and Certificate of Scheduled Tribe submitted by him. Latter on it was found that certificate of Scheduled Tribe submitted by him is forged. On account of this miss-conduct he was dismissed from service by order dated 02.09.1985. The aforesaid order was challenged in this Court by filing Original Application No. 394/ 1998, as there was long delay, ^{an} application was also filed under section 21 (3) of Administrative Tribunals Act seeking condonation of delay in filing the O.A. The application was rejected by order dated 16.09.1998. The order of dismissal became ^{final} ~~final~~. Further ^{the} ~~the~~ direction was given to the respondents to dispose of the representation of the applicant within four months if already not disposed of. This representation has been rejected by order dated 31.01.1990. The order shows that in Uttar Pradesh, Aheria community ^{also} ~~has~~ not come under Scheduled Tribe and certificate submitted by the applicant could not be accepted. Thus there is no change in the facts and circumstances. The order of dismissal has already become ^{final} ~~final~~ dismissal of first O.A. this second O.A. is not legally maintainable and is rejected.


Member (A)


Vice-Chairman