

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 781 of 1999

Allahabad this the 07th day of May, 2002

Hon'ble Mr.C.S. Chadha, Member (A)  
Hon'ble Mr.A.K. Bhatnagar, Member (J)

Pankaj Kumar Son of Sri Basudeo Prasad, Resident  
of 133/10 E, Pitambar Nagar, Shankar Ghat Road,  
Teliarganj, Allahabad.

Applicant

By Advocate Shri M.C. Umrao

Versus

1. Union of India through Secretary, Staff Selection Commission, Department of Personnel and Training, Kendriya Karyalaya Parisar, Block No. 12, Lodhi Road, New Delhi.
2. Under Secretary, Staff Selection Commission, Department of Personnel and Training, Block No. 12, Kendriya Karyalaya Parisar, Lodhi Road, New Delhi.
3. Regional Director, Staff Selection Commission, Central Region, 8A-B, Beli Road, Allahabad.
4. Government Examiner of Questioned Documents, Bureau of Police Research and Development, Govt. of India, Shimla.

Respondents

By Advocate Shri Prashant Mathur

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S. Chatterjee

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O R D E R ( Oral )

By Hon'ble Mr.C.S. Chadha, Member (A)

The case of the applicant is that he was selected for the post of Clerk by appearing in the examination for Clerks Grade 1996 but later served with a memorandum dated 11.2.1999 by which he was informed that since he secured impersonation in the examination he should show-cause why his candidature should not be cancelled and that he also not be debarred ~~future~~ from appearing in the Commission examinations. Vide order dated 31.03.1999 the candidature of the applicant was cancelled. He was also debarred from appearing in future examinations of the Commission for a period of 3 years w.e.f. 21.09.1996. He has challenged this on the ground that he was not given ample opportunity to defend himself.

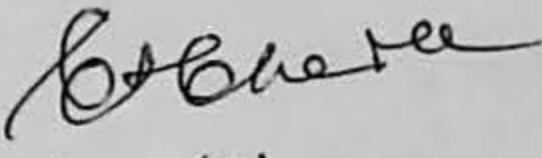
2. Learned counsel for the respondents admits that while giving <sup>the</sup> show-cause notice on 11.02.1999, a copy of the report of <sup>the</sup> Examiner of Questioned documents was not supplied to the applicant and neither he was given an opportunity to question the said report. In view of this, interest of justice would be met if the case is remanded back to the respondents with a direction that a copy of the report of the Examiner of Questioned documents received in the case of the applicant, should be made available to the applicant <sup>The</sup> alongwith <sup>the</sup> show-cause notice. He should be given proper opportunity to cross examine the said official and produce any other defence in his favour and a speaking order be passed within four

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months of receiving a copy of this order. The  
O.A. is accordingly disposed of. No order as  
to costs.

  
Member (J)

/M. M./

  
Member (A)