

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.297 OF 2003
ALLAHABAD THIS THE 2ND DAY OF APRIL, 2003

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A
HON'BLE MRS. MEERA CHHIBBER, MEMBER-B

Vidya Kant Dwedi
S/o Sri Ram Awadh Dwedi,
Resident of Village and
Post-Bashahara,
Tehsil-Meja,
District-Allahabad

.....Applicant

(By Advocate Shri A.K. Srivastava)

Versus

1. Union of India,
through its Secretary,
Ministry of Communication,
Department of Postal Services,
New Delhi.

2. Chief Post Master General,
U.P. Circle,
Lucknow.

3. Post Master General
Allahabad Region,
Allahabad.

4. Senior Superintendent Post Offices,
Allahabad.

.....Respondents

(By Advocate Shri V.K. Pandey)

ORDER

HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER-A

The grievance of the applicant is that he is working as Postman in Head Post Office, Allahabad. The Lower Grade Official Examination (LGO) was held on 12.05.2002. The allegation of the applicant is that the Centre Superintendent

and the invigilators were supporting their candidates. Besides they were allowing them for copying and adopting them for unfair-means. This was opposed by the applicant and other candidates. This fact was brought to the notice of the higher authorities by filing number of representations before them including the representation/complaint to Chief P.M.G. U.P. by Employees Union on 03.06.02. Other Unions also filed a similar complaint before Chief P.M.G. and Post Master General, Allahabad. On subsequent stages the allegation of the applicant is that the respondents instead of conducting enquiries into the matter declared the result on 05.02.2003.

2. Shri A.K. Srivastava, learned counsel for the applicant submitted that when the complaint regarding copying and also using unfair-means by certain candidates in collusion with the Supervisors as well as the invigilators was made before the higher authorities, it was incumbent upon them to enquire into the matter. ^{which has not been done} The learned counsel for the applicant submitted that in the interest of justice the result of atleast Allahabad Region should be quashed.

3. We have heard the counsel for the parties and perused the pleadings as well.

4. We do not find any good ground to set aside the result of the Allahabad Region or withhold it. But we certainly feel that in case the irregularities were brought to the notice of the higher authorities, an enquiry ^{ought to} should have been conducted to establish whether the LGD examinations were conducted in a

fair manner or not. The interest of justice shall better be served if the respondents are directed to get the entire episode investigated at their ^h ^h ^h ^h ^h ^h ^h and within the specified time and take appropriate action.

5. The O.A. is finally disposed of at the admission stage itself with direction to respondent nos 2 and 3 to enquire into the matter as reported by the applicant and also by Union by letter dated 06.03.2002 (Annexure 2-A, B and C, Page 15 to 20 of the O.A.) as well as the letter dated 29.06.2000 filed before respondent no.3 i.e. Postmaster General Allahabad Region, Allahabad. The respondents are further directed to examine the entire issue and pass appropriate orders. In case as a result of enquiry, it is found that ~~there~~ is some ^{or otherwise} substance in the complaint made by the applicant, the respondents shall ~~also~~ pass a reasoned and suitable order on the representation of the applicant within three months from the date of communication of this order.

6. The O.A. stands disposed of at the admission stage itself with no order as to costs.



Member-J



Member-A

/Naslam/