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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR**

Original Application No. 112 of 2004

**Jodhpur, this the 9<sup>th</sup> day of August, 2005**

**CORAM :**

**HON'BLE MR.J.K.KAUSHIK, JUDICIAL MEMBER  
HON'BLE MR. G.R. PATWARDHAN, ADMINISTRATIVE MEMBER**

Miss Rukhsana Bano D/o Shri Abdul Ahmed, aged Near about 26 years, R/o Vakeel Colony, Near Govt. College, Bhilwara.

..... Applicant

(Mr. Y.K. Sharma: counsel for the applicant).

**VERSUS**

1. Union of India through Secretary, Ministry of Communication, Deptt. of Post, Dak Tar Bhawan, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Suptt. of Post Office, Bhilwara.

.... Respondents

Mr. M. Godara, proxy counsel for  
Mr. Vinit Mathur: counsel for the respondents

**ORDER (ORAL)**

Miss Rukhsana Bano has filed this Original Application for seeking a mandate to the respondents to consider her candidature for the post of Postal Assistant as per the conditions laid down in Annexure A/1.

2. At the very outset, the learned counsel for the respondents has submitted that it has been specifically averred in the reply to the O.A. in para No. 1 to 3 at internal page No. 14 of the reply

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that since the applicant has not submitted her application there was no question of considering her candidature. Hence, this Original Application is liable to be dismissed on this count alone.

3. We have enquired from the learned counsel for the applicant as to whether there is any proof of submission of the application by the applicant to the respondents. He has been fair enough to submit that the applicant does not have any such proof, he, however, submitted that the application was handed over in good faith to the office of the respondents but no acknowledgement was given. However, there is no rejoinder filed to the reply.

4. We have considered the aforesaid facts and circumstances of this case. We have no reason to disbelieve the version of the respondents as set out in the reply. The official acts are, otherwise, presumed to have been done as per the procedure and with good faith. If a person refutes the same, the burden of proof lies on him. In the instant case, the applicant has totally failed to discharge his burden. Therefore, no case is made out. The Original Application stands dismissed, accordingly. However, there shall be no order as to costs.

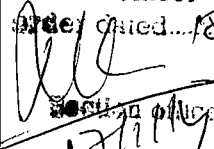
  
( G R PATWARDHAN )  
Adm. Member

  
(J.K.KAUSHIK)  
Judl. Member


Kumawat



part II and III destroyed  
in my presence on 12-1-14  
under the supervision of  
section officer ( ) as per  
order dated 18-11-13

  
Section Officer (Record)  
13/11/14

C/R.

  
11/8/2011

11/8/2011  
