

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW.
Original Application No. 194/2006.

Lucknow this, the 20th day of April, 2006.

HON'BLE MR. JUSTICE KHEM KARAN, VICE CHAIRMAN
HON'BLE MR. A. K. SINGH MEMBER (A)

Bipin Behari Sharma aged about 32 years s/o Sri Ram Autar Mistri, k Postal Assistant
Babhnan Sugar Factory Post Office District Gonda (Under Suspension) R/o at present
Villate Shastri Nagar Manakpur Bazar District Gonda Permanent resident of Villate
anjunar Post Office Dhanar district Newada (Bihar)

Applicant.

By Advocate Shri R.S. Gupta. .

Versus

1. Union of India through the Secretary, Department of Post Dak Bhawan, New Delhi.
2. Chief Postmaster General U.P. Lucknow.
3. Superintendent of Post Offices Gonda.
4. Chief Postmaster General Bihar (Patna).
5. superintendent of Post Offices Darbhanga.
6. principal, Marwari Mahavidyalaya, Darbhanga.
7. Bihar Intermediate Education Council Patna.

Respondents.

By Advocate Shri Deepak Shukla for Shri Prashant Kumar. .

Order (Oral)

By Hon'ble Mr. Justice Khem Karan, Vice Chairman.

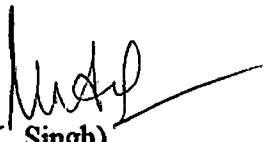
Heard Shri R.S. Gupta, the learned counsel for the applicant and Shri N.K. Agarwal, the learned counsel for the respondents in this O.A. and also perused the contents of the application and the papers annexed to it.

2. The applicant is being proceeded against ^{for securing} ~~the securing~~ employment on the basis of forged and fabricated intermediate mark sheet, said to have been issued by Bihar Intermediate Education Council Patna (A-4). The enquiry is on way. What he prays in this O.A. is that authority concerned should be directed to verify the correctness and genuineness of mark sheet from education Council Patna and till then the ~~same is done~~ the enquiry proceeding be kept in abeyance. His second prayer ^{is} for enhancement of subsistence allowance. He says he has given a representation for such enhancement but nothing has been done so far.

3. In so far his first prayer is concerned, we are of the view, it is totally misconceived. The enquiry is going on and the applicant will have an opportunity to request the enquiry officer to get the mark sheet verified and in any case, the applicant

will have ^{occasion} ~~reason~~ to lead his own evidence on that point. So, there is no point in admitting the O.A. to grant the relief. In so far as the relief relating to enhancement of subsistence amount is concerned, we think the authority concerned may be asked to consider the representation, if it is given for the purpose.

4. Accordingly, the O.A. is finally disposed of with a direction that if the applicant gives a representation for enhancement of subsistence allowance, Superintendent Post Offices Gonda Region will decide the same within a period of one month from the date the same is received by him together with the copy of this order.


(A.K. Singh)

Member (A)

HLS/-


(Khem Karan)

Vice Chairman

20.4.06