

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No. 89/87.

Shri Sahadev Narayan Kargutkar,
58/1488, Kannamwar Nagar,
Vikhroli (E),
BOMBAY - 400 083.

... Applicant.

V/S

Vice Admiral,
Flag Officer Commanding-in-Chief,
Headquarter Western Naval Command,
Shahid Bhagatsingh Road,
BOMBAY - 400 001.

... Respondent.

Coram: Hon'ble Member (A), J.G. Rajadhyaksha.

Hon'ble Member (J), M.B. Mujumdar.

Appearance:

Mr. G.D. Samant,
Advocate,
for the applicant.

ORAL JUDGMENT:

(Per M.B. Mujumdar, Member (J).

Date: 20.3.1987.

Heard Mr. G.D. Samant, the learned advocate for the applicant.

The applicant was appointed as an unskilled labour in 1977 on the basis of a school leaving certificate produced by him. Subsequently, the respondents forwarded that certificate for verification of its genuineness to the school authorities who had issued it. The authorities informed that it was not genuine. Hence by an order dt. 20th December, 1983 the respondents informed the applicant that his services were no longer required from that date. The applicant thereafter preferred an appeal against that order on 2nd April, 1985 i.e. about 1 year and 4 months after the order of termination was issued. In his appeal memo he admitted that

he was compelled to produce the school leaving certificate showing that he has passed 8th standard with the hope that he may be retained in service. He did not dispute that the certificate was not genuine. By an order dt. 21st July, 1986 the appeal was rejected as it was time barred.

2. Now on 16th January, 1987 he has approached this Tribunal by filing an application under Section 19 of the Administrative Tribunals Act and challenged the order of termination of his service dated the 20th December, 1983.

3. It is evident from the admission of the applicant himself in his appeal memo that the school leaving certificate on the basis of which he had obtained employment was not a genuine one. We, therefore, find no fault with the respondents in terminating ^{his} the service on that account. Hence we reject the application summarily under Section 19 of the Administrative Tribunals Act, 1985.

(J.G. RAJADHYAKSHA)
MEMBER (A).

(M.B. MUJUMDAR)
MEMBER (J).