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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.513/90

Date of Order: 28.1.94

BETWEEN :

Smt.P.Rajyam

.. Applicant.

A N D

1. Director of Postal Services,
Andhra Pradesh (N) Region,
Hyderabad.
2. The Superintendent of Post
Offices, Karimnagar Division,
Karimnagar.
3. K.Chakrapani,
Incharge EDBPM, Mallapur,
Gangadhara Mandal,
Karimnagar District.

.. Respondents.

Counsel for the Applicant

.. Mr.P.R.Ramana Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI A.B.GORTHY : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

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Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

The applicant was provisionally appointed on 9.11.81 as Branch Post Master, Mallapur. Thereafter she was duly selected and regularly appointed to that post w.e.f. 13.1.86. The ^Acharge memo ^{was} issued to her on 21.8.87 alleging that she failed to produce the Original School leaving certificate and that on verification it was found that she did not have the required educational qualification for appointment as E.D.B.P.M., Mallapur. Departmental disciplinary enquiry was instituted at the end of which the competent authority, by means of the impugned order imposed the penalty of removal from service. Her appeal to the Director, Postal Services was duly considered and was rejected by means of a detailed speaking order. In this application her prayer is for setting aside the order of removal and for a direction to the respondents to reinstate her ⁱⁿservice with all consequential benefits.

2. ^{Even} Although the case was listed for dismissal today, none appeared to represent the applicant. We have heard Mr.N.R.Devraj, Standing Counsel for the respondent and perused the material before us. The contention of the applicant is that she studied ^{upto} 8th standard and that should be treated as sufficient qualification for her employment as EDBPM. This cannot be so because for appointment as EDBPM a candidate should have passed 8th standard. Admittedly the applicant discontinued her studies while studying 8th standard.

For 4 p.m. 11th Jan 1954

Submitted for original certificate with the authorities

Copy to:-

concerned and if there is any mistake it will be corrected

1. Director of Postal Services, A.P. (N) Region, Hyd.

2. The Superintendent of Post Offices, Karimnagar Division
Karimnagar.

3. One copy to Sri. P.R. Ramana Rao, advocate, 16-2-740/5,
Kalyannagar Gaddanaharam, Hyd-660.

4. One copy to Sri. N.R. Devaraja, Sr. CSEC, CAT, Hyd.

5. One copy to Library, CAT, Hyd.

6. One copy to the school

leaving certificate. Finally the applicant contended that

the respondents should have taken the present view of the

matter as it is 12 years old and served the department

separately ever since she was appointed to the post of

4. The respondents have not been in their reply

affidavit that the services of the applicant were rightly

terminated because she did not possess the minimum educational

qualification of 3rd standard. Moreover it is apparent that

the applicant got appointment by unfair means.

was called upon to produce the original school leaving certificate

there on a number of occasions and did not respond. The

departmental disciplinary enquiry was held in accordance with

law and the order of penalty was imposed by the competent

authority.

In view of the above-stated facts and circumstances

considered view that the impugned order of removal from

service was not illegal as it would warrant our

interference thereon. The application is thus dismissed.

With this the same is hereby dismissed. No order as to costs

(Sd/-)
Member (Adm.)

(Sd/-)
Member (Adm.)

Noted: 23rd January, 1954

(Noted in Open Court)

(H2)

3. The applicant further contended that she submitted the original certificate ^{to} with the authorities concerned and if there was any mistake it was committed by the School authorities and that she was innocent. Xerox copy of the Transfer Certificate was enclosed to show that she passed 9th standard. The inquiry proceedings however reveal that ^{despite} ~~despite~~ several reminders to her she did not bother to submit or take any ~~further~~ action to submit the original school leaving certificate or any other document in support of her claim that she gave the correct school leaving certificate. Finally the applicant contended that the respondents should have taken ^{a lenient} ~~the~~ view of the matter as she is 40 years old ^{and} has served the department ^{sincerely} ~~separately~~ ever since she was appointed to the post of EDBPM.

4. The respondents have stated in their reply affidavit that the services of the applicant were rightly terminated because she did not possess the minimum educational qualification of 8th standard. Moreover it is apparent that the applicant got appointment by unfair means. When she was called upon to produce the original school leaving certificate on a number of occasions she did not respond. The departmental disciplinary enquiry was held in accordance with law and the order of penalty was imposed by the competent authority.

5. In view of the afore-stated we are of the considered view that the impugned order of removal from service suffers from no illegality as would warrant our interference therewith. The application is thus without merit and the same is hereby dismissed. No order as to costs.

(T. CHANDRASEKHARA REDDY)
Member (Judl.)

(A.B. GORTHY)
Member (Admn.)

Dated: 28th January, 1994

(Dictated in Open Court)

sd

Prd. 11-2-94
Dy. Registrar (JH)
Contd.

O.A. 513/90

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER (A)

Dated: 28/1-1994

ORDER/JUDGMENT: _____

~~M.A./R.A./C.A. No.~~

O.A. No.

513/90

T.A. No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

~~Dismissed.~~

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

~~No order as to costs.~~

