

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

**ORIGINAL APPLICATION NO. 291/00424/2016
WITH
MISC. APPLICATION NO. 291/00229/2016**

DATE OF ORDER: 22.07.2016

CORAM

**HON'BLE MRS. JASMINE AHMED, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

Mukesh Kumar Gurjar S/o Shri Om Prakash, aged 27 years, R/o Dhani Cholai, Tan Kanwar Ka Nangal, Tehsil Neem Ka Thana, District Sikar (Rajasthan).

(removed from service as Gangman, Gang No. 13, Senior Section Engineer (P. Way), Neem Ka Thana, Sikar (Raj.).

....Applicant
Mr. Pawan Sharma, counsel for applicant.

VERSUS

1. Union of India through General Manager, North Western Railway, Head Office, Jagatpura, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jaipur.
3. Assistant Divisional Engineer (RPC), North Western Railway, Jaipur.

....Respondents

ORDER

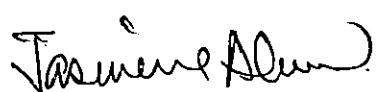
(Per MRS. JASMINE AHMED, JUDICIAL MEMBER)

Heard. It is the contention of the learned counsel for the applicant that the applicant was appointed on 30.03.2013 to the post of Gangman after passing all the required tests and was posted under Section Engineer (P. Way), North Western Railway, Neem Ka Thana, District Sikar (Rajasthan). He contends that all of a sudden in the year 2014, the applicant has been removed from service.

Jasmine Ahmed

2. It is seen from Annexure A/1 at page 10 of the OA that a letter dated 11.09.2014 has been issued to the applicant wherein it has been stated that provisional appointment under LARSGESS Scheme was subject to verification of documents and character antecedents. Hence, when the respondents came to know that the applicant has given wrong information in the attestation form and affidavit, about his involvement in criminal case(s), which are already going on, the applicant was removed from service. It is also mentioned in the Annexure A/1 that the Additional District Collector, Sikar informed the respondents that certain cases against the applicant were registered namely (i) Case No. 135/12 charge-sheet no. 239/12, (2) case no. 145/12 charge-sheet no. 251/12, (3) case no. 382/12 charge sheet no. 155/13 and (4) case no. 215/11 charge sheet no. 127/11 in which Challan were filed before the concerned court, and all the said cases are subjudice before the concerned court. Hence taking into consideration the fact of concealment in the attestation form about the said pending cases, the provisional appointment of the applicant has been cancelled by the respondents.

3. We have perused the Annexure A/1 letter dated 11.09.2014, and the applicant has not attached any other document on record, we find that there is no need of any interference in the present matter as it is a settled principle of law on the issue of concealment of fact in the attestation form and giving wrong information, that the appointment can be cancelled.



4. Accordingly, the Original Application lacks merit and it is dismissed. In view of the order passed in the OA, the Misc. Application for condonation of delay is also dismissed. No order as to costs.

Meenakshi
(MS. MEENAKSHI HOOJA)

ADMINISTRATIVE MEMBER

Jasmine Ahmed
(MRS. JASMINE AHMED)

JUDICIAL MEMBER

kumawat