

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR

Date of order: 23.04.2003

OA No.522/2000

Prahled Kumar s/o Shri Heeralal aged about 21st years r/o Village and Post Bhilwara, Neemka (Chabra) Distt. Baran, last employed on the post of EDBPM Bhilwara Neemka, EDBO (Chabra) Distt. Baran.

.. Applicant

VERSUS

1. Union of India through its Secretary to the Govt. of India, Department of Posts, Ministry of Communication, New Delhi.
2. Postmaster General, Rajasthan Southern Region, Ajmer.
3. Senior Superintendent of Post Office, Kota Postal Division, Kota.

.. Respondents

Mr. C.B.Sharma, counsel for the applicant

Mr. Arun Chaturvedi, counsel for the respondents

CORAM:

HON'BLE MR. H.O.GUPTA, MEMBER (ADMINISTRATIVE)

HON'BLE MR. M.L.CHAUHAN, MEMBER (JUDICIAL)

O R D E R (ORAL)

The applicant is aggrieved of the order dated 12.10.2000 (Ann. Al) whereby his services have been terminated by invoking provisions of rule 6(b) of E.D. Agents (Conduct and Service) Rules, 1964. In relief, he has prayed for quashing the said order and also for appropriate directions to the respondents not to make any selection on the post held by the applicant, on various grounds stated in the application.

[Signature]

2. The respondents have contested this application. The applicant has also filed rejoinder.

3. Heard the learned counsel for the parties and perused the record.

3.1 During the course of arguments, the learned counsel for the respondents submitted that the impugned order (Ann.A1) is perfectly legal and as per Rule 6(b) of the service rules for Postal ED Staff, the respondents are competent to terminate the services of the applicant by giving one month's notice or the salary in lieu of the notice. The applicant was paid the salary in lieu of one month's notice. He submitted that the main reason for terminating the services of the applicant is that the applicant did not possess the requisite qualification. He also submitted that in the M/o Human Resource Development (HRD) letter dated 12/14 February, 01, it has been categorically stated that the certificate issued by the Central Board of Higher Education, Uttam Nagar, New Delhi is not recognised by the Govt. of India. It has been further stated therein that this organisation is fake body which does not have any connection with the Govt. of India. He further submits that it is evident that the certificate given by the applicant was either fake or issued by a fake body and therefore, the applicant was not entitled for holding the said post. The learned counsel for the applicant fairly conceded that the said organisation at Uttam Nagar as per the M/o HRD letter, is not recognised and the certificate produced by the applicant is not a valid certificate for holding the post.

4. In view of the submissions of the learned counsel

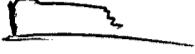
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parties B
for the applicant, this OA is devoid of merit and
accordingly dismissed without any order as to costs.


(M.L.CHAUHAN)

Member (J)


(H.O.GUPTA)

Member (A)