

CENTRAL ADMINISTRATIVE TRIBUNAL 16
JAIPUR BENCH, JAIPUR

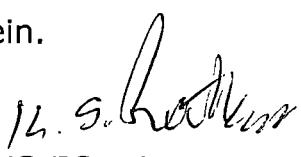
ORDERS OF THE BENCH

Date of Order: 17.07.2012

OA No. 536/2010

Mr. Nand Kishore, counsel for applicant.
Mr. R.G. Khinchi, counsel for respondents.

Heard learned counsel for the parties. O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.


(JUSTICE K.S. RATHORE)
JUDICIAL MEMBER

Kumawat

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 17th day of July, 2012

Original Application No.536/2010

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)

1. Smt. Aarai
Widow of Shri Subramanian,
r/o Shansi Basti, Jobner Road,
Phulera, District Jaipur
2. Karupan
s/o Late Subramanian,
r/o Shansi Bastri,
Jobner Road,
Phulera, District Jaipur

.. Applicants

(By Advocate: Shri Nand Kishore)

Versus

1. Union of India
through General Manager,
North Western Railway,
Jawahar Circle,
Jagatpura, Jaipur
2. Divisional Railway Manager,
North Western Railway,
Power House Road,
Jaipur

.. Respondents

(By Advocate: Shri R.G.Khinchi)

ORDER (ORAL)

Brief facts of the case are that husband of applicant No.1 and father of applicant No.2 expired on 4.7.2009. Applicant No.2 submitted application for appointment on compassionate grounds on 6.10.2009 alongwith required documents. The appointment on compassionate grounds has been denied vide letter dated 25.1.2010 (Ann.A/1) as the educational certificates of applicant No.2 are found forged.

2. The learned counsel appearing for the applicant denied this fact and submitted that the certificates issued by the B.M.Public School, Kachroda (Phulera) are genuine and the respondents without proper enquiry have arrived at a wrong conclusion that the educational certificates submitted by the applicant are forged.

3. Per contra, the learned counsel appearing for the respondents submitted that while considering the case of applicant by the competent authority, the documents submitted regarding educational qualification of applicant No.2 were found suspicious and after conducting enquiry with regard to these documents, it was found that the said documents are forged. This fact is confirmed by the Headmaster of B.M. Public School, Kachroda vide letter dated 16.11.2009 (Ann.R/1) which clearly shows that applicant No.2 has not passed 8th Class in the year 1995-96 nor in this regard his name mentioned in the school record and



further also stated that the Marksheets and Transfer Certificate are not of the said school.

4. Physical verification was also conducted regarding documents of educational qualification and overwriting on the name of the applicant No.2 was found. The days on which the applicant No.2 attended the school was also found suspicious. Attendance register and result register are seem to be newly prepared and to this effect also clarification was received from the Head Master of B.M.Public School, Kachroda vide letter dated 17.12.2009 (Ann.R/2). Again on 3.4.2010 physical verification was conducted regarding the documents of educational qualification of applicant No.2 and the same was found forged and accordingly the Headmaster of B.M. Public School, Kachroda vide its letter dated 3.4.2010 (Ann.R/3) informed the respondents.

5. Having considered the rival submissions of the respective parties and upon careful perusal of the educational certificates filed alongwith this OA and the documents annexed with the reply Ann.R/1, R/2 and R/3 issued by the Headmaster of B.M.Public School, it reveals that the documents in support of educational qualification filed by applicant No.2 are forged as the same were not issued by the said school. In such circumstances, the respondents have rightly not considered the case of applicant No.2 for appointment on compassionate grounds. In my considered view, the impugned order dated 25.1.2010 (Ann.A/1) requires no



interference by this Tribunal and consequently, OA being bereft of merit fails and the same is hereby dismissed with no order as to costs.



(JUSTICE K.S.RATHORE)
Judl. Member

R/