

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA No.2/2016
MA 576/2017**

New Delhi this the 19th day of January, 2018

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

1. Pardeep Kumar
S/o Sh. Rajbir Sharma
R/o VPO Saidpur, Tehsil-Kharkhoda,
Distt. Sonipat (Haryana).
(Age about 28 years)
2. Parveen Kumar
S/o Sh. Ramesh Kumar
R/o VPO Dahina, Tehsil-Rewari,
Distt. Rewari, Haryana-123 411.
(Age about 33 years)
3. Ajay
S/o Sh. Satya Naryan
R/o VPO Jassaur Kheri,
Distt. Jhajjar, Haryana-124505.
(Age about 21 years)
4. Sumit
S/o Sh. Surender
R/o VPO Bahu Akbar Pur,
Distt. Rohtak, State-Haryana.
(Age about 22 years)
5. Pardeep
S/o Sh. Umed Singh
R/o Vill-Bahu Jamal Pur,
P.O.-Gaddi Kheri
Distt. & Teh. – Rohtak, Haryana-124001.
(Age about 25 years)
6. Monu
S/o Sh. Amar Singh
R/o V.P.O. Mohana,
Distt. Sonepat, Haryana-131001.
(Age about 23 years)
7. Subhash Chand
S/o Sh. Ram Kala
R/o Vill. Sega P.O. Narar,
Teh./Distt. Kaithal, Haryana.
(Age about 36 years)

8. Pardeep Kumar
S/o Sh. Surender Kumar
R/o VPO-Bajana Kalan
Teh. Gannaur, Distt. Sonipat (Haryana).
(Age about 24 years)
9. Reena Davi
D/o Sh. Jai Bhawan
R/o Vill. Anchera Khurd, Teh. Safidan,
Distt. Jind -126112.
(Age about 26 years)
10. Satyender
S/o Sh. Ram Niwas
R/o Vill. BerliKhurd, P.O. Musepur,
Distt. & Teh. Rewari (Haryana)-123401.
(Age about 24 years)
11. Ravi Dalal
S/o Sh. Sukhbir Singh
R/o VPO Mandohti PANA, Pacosiya
Distt. Jhajjar, Teh. Bahadurgarh-124506.
(Age about 27 years)
12. Takdir
S/o Sh. Chand Singh
R/o VPO Dighal Pana-Mundan,
Tehsil-Beri, Distt. Jhajjar-124107.
(Age about 28 years)
13. Hariom
S/o Sh. Sat Prakash
R/o Vill. Assawarpur, P.O. Rai,
Distt. Sonipat-131029.
(Age about 23 years)
14. Amit Kumar
S/o Sh. Rajpal
R/o VPO Kheri Damkan,
Tehsil-Gohana, Distt. Sonepat,
Haryana-131301.
(Age about 28 years)
15. Deepak Chhillar
S/o Sh. Omprakash Chhillar
R/o 349/4, Gali No. 1, Friends Colony,
Line Par, Bahadurgarh, Jhajjar, Haryana.
(Age about 21 years)
16. Jogender Singh
S/o Sh. Suraj Mal
R/o VPO Chimni, Teh. Beri,
Distt. Jhajjar-124 412.

(Age about 27 years)

17. Manoj Kumar
S/o Sh. Zile Singh
R/o VPO-Fatehpur, Bindroli,
Teh. Distt.-Sonipat (Haryana)-131001.
(Age about 25 years)
18. Neeraj Kumar
S/o Sh. Naresh Kumar
R/o V.P.O. Diwana, Teh.-Tohana,
Distt. Fatehabad (Haryana)-125106.
(Age about 24 years)
19. Vikash Jakhar
S/o Sh. Ram Kumar
R/o VPO Sundrehti,
Teh. Matanhail, Distt. Jhajjar
Haryana-124106.
(Age about 22 years)
20. Satish Kumar
S/o Sh. Maman Singh
R/o VPO Mahra, Teh. Gohana,
Distt. Sonepat, State-Haryana-131301.
(Age about 22 years)
21. Manjit
S/o Sh. Umed Singh
R/o VPO Dhanana II,
Distt. & Tehsil Bhiwani,
State Haryana-127031.
(Age about 23 years)
22. Rajbir
S/o Sh. Darya Singh
R/o VPO Tumbaheri
Teh. & Distt. -Jhajjar
Haryana-124109.
(Age about 24 years)
23. Raman
S/o Sh. Gopi Chand
R/o AR-65 Arjun Nagar, Rewari
Haryana – 123401.
(Age about 25 years)
24. Sunil Kumar
S/o Sh. JagdishChander
R/o VPO Atawla, Distt. Panipat,
Haryana-132113.
(Age about 28 years)
25. Dimple Verma

D/o Sh. Babu Lal Verma
 R/o V.P.O. Beri, Pana Chulyan, Sraffoo Wali Gali,
 Near Market, Distt. Jhajjar, Haryana.
 Aged about 23 years

26. Hanuman Singh
 S/o Sh. Dharam Chand
 R/o Vill. Malra Sarai, P.O. Lawan,
 Distt. Mohindergarh, Haryana – 123 029.
 Aged about 29 years
27. Jasbir
 S/o Sh. Dilbag
 R/o V.P.O. – Bupania, Teh. Badurgarh,
 Distt. – Jhajjar (Haryana).
 Aged about 22 years
28. Rajesh
 S/o Sh. Ajit Singh
 R/o V.P.O. Ismaila (9-B), Teh. – Sampla,
 Distt. Rohtak, Haryana.
 Aged about 27 years
29. Amarjeet
 S/o Sh. Raj Singh
 R/o W. No. 6, Goyat Pana, Meham,
 Distt. – Rohtak (Haryana) – 124 112.
 Aged about 23 years
30. Pankaj Soni
 S/o Sh. Ramesh Kumar
 R/o Vill. – Guriani, Tehsil – Kosli,
 Distt. – Rewari (Haryana) – 123 301.
 Aged about 20 years
31. Naveen Dalal
 S/o Sh. Dilbag Singh
 R/o Vill. Dabodha Kalan, Tehsil – Bahadur Garh,
 Distt. – Jhajjar, Haryana.
 Aged about 24 years
32. Yogesh
 S/o Sh. Jai Bhagwan
 R/o Tehsil – Bahadurgarh,
 Distt. – Jhajjar, Haryana.
 Aged about 23 years
33. Sandeep Kumar
 S/o Sh. Rajpal
 R/o Vill. Gahra, P.O.-Sihore,
 Distt.-Mohindergarh – 123 027.
 Aged about 24 years

34. Kapil Dev
 S/o Sh. Yash Dev
 R/o Vill. – Kharman, Teh. – Bahadurgarh,
 Distt. Jhajjar, Haryana.
 Aged about 23 years

35. Praveen Kumar
 S/o Sh. Dilbag Singh
 R/o VPO- Bhali Anand Pur, Distt. – Rohtak,
 Teh. – Kalanaur (Haryana).
 Aged about 23 years

36. Sandeep Kumar
 S/o Sh. Mahender Singh
 R/o Vill. – Kothal Kalan, P.O. – Kothal Khurd,
 Distt. – Mohinder Garh (Haryana).
 Aged about 24 years

37. Sundeep Sharma
 S/o Sh. Suresh Kumar Sharma
 R/o Vishwakarma Colony, Ward No. – 9,
 Ateli Mandi, Narnaul, Mohinder Garh (Haryana).
 Aged about 31 years

38. Kuldeep
 S/o Sh. Jagat Singh
 R/o V.P.O. Matindu, Kharkhoda, Sonepat,
 Haryana – 131 402.
 Aged about 25 years

39. Amit Kumar
 S/o Sh. Virender Singh
 R/o VPO – Bakhtawarpur, P.O. Jainpur,
 Distt. – Sonipat (Haryana) 131 001.
 Aged about 23 years

40. Sumeer Kumar
 S/o Sh. Chandbeer Singh
 R/o H.No. 760/29,
 Tilak Nagar, Rohtak (Haryana).
 Aged about 26 years

41. Sunil
 S/o Sh. Ramesh
 R/o H.No. 553, VPO – Kurar,
 Distt. – Sonipat, Haryana – 131 001.
 Aged about 24 years

42. Ishwar Singh
 S/o Sh. Mahabir Parsad
 R/o Vill. – Jhundsiria, P.O.-Patli Station,
 Teh. – F. Nagar, Distt – Gurgaon (Haryana) – 122 506.

Aged about 31 years

43. Manjeet
S/o Sh. Suresh
R/o VPO – Karsola, Teh – Julana,
Distt. – Jind, Haryana (126 101).
Aged about 21 years
44. Ashish Kumar
S/o Sh. Suresh Kumar
R/o VPO – Shyam Nagar, Teh. – Kosli,
Distt. – Rewari, Haryana – 123 302.
Aged about 20 years
45. Neeraj Kumar
S/o Sh. Randhir
R/o VPO – Gorar, Teh – Kharkhoda,
Distt – Sonipat, Haryana – 131 408.
Aged about 20 years
46. Deepak Kumar
S/o Sh. Phool Kumar
R/o V.P.O. Shamlo Kalan, Distt. – Jind,
Pin – 126 114 (Haryana).
Aged about 27 years
47. Sanjeev Kumar
S/o Sh. Jagbir Singh
R/o V.P.O. – Thana Kalan, Tehsil – Kharkhoda,
Distt. – Sonepat, Haryana – 131 402.
Aged about 22 years
48. Rakesh Kumar
S/o Sh. Jaipal
R/o VPO – Julana, Distt – Jind,
Haryana, Pin Code – 126 101.
Aged about 27 years
49. Santosh Kumari
D/o Sh. Bhoop Singh
R/o Village – Tihar Kalan, P.O. Tihar Baghru,
Sonipat, Pin Code – 131 022 .
Aged about 28 years
50. Sarita
D/o Sh. Ved Parkash Rathi
R/o VPO – Kanwali, Tehsil – Kharkhoda,
Sonipat – 131 001.
(Age about 23 years)
51. Pinki Rani
W/o Sh. Govind Parsad

R/o V.P.O. Chhichhrana, Teh. Israna,
 Distt.:Panipat (Haryana).
 (Age about 26 years)

52. Deepika Madan
 D/o Sh. Harish Kumar Madan
 R/o H.No. 845/17 A New Braham Colony,
 Sonepat, (Haryana).
 Aged about 25 years

53. Geeta
 D/o Sh. Jai Bhagwan
 R/o H.No. 566/3, Hari Nagar,
 Near New Anaj Mandi, Ganaur,
 Distt. Sonipat, Haryana.
 Aged about 22 years

54. Suman Devi
 W/o Sh. Uttam Kumar
 R/o Gali No. 1, Maya Puri, Kakroi Road,
 Sonepat (131 001) Haryana.
 Aged about 27 years

55. Sonia
 W/o Sh. Naveen Khatri
 R/o VPO – Ismila 9B, Teh. – Sampla,
 Distt. – Rohtak, Haryana.
 Aged about 26 years

56. Parveen Kumar
 S/o Sh. Shamsher Singh
 R/o V.P.O. Sunarian Kalan, Teh. Rohtak,
 Distt. – Rohtak (Haryana) 124 001.
 Aged about 28 years

57. Harish
 S/o Sh. Rewat
 R/o Vill- Fatehpuri, Teh. &Distt. – Jhajjar,
 Haryana – 124 109.
 Aged about 28 years

58. Ravikant
 S/o Sh. Satya Narain
 R/o V.P.O. Kassar, Teh. Bahadurgarh,
 Distt – Jhajjar (Haryana).
 Aged about 23 years

59. Rakesh
 S/o Sh. Satyawan
 R/o VPO – Chhapra, Teh. – Gohana,
 Distt – Sonipat (Haryana).
 Aged about 22 years

60. Manish
S/o Sh. Ramphal
R/o V – Kharanti, Teh. – Julana,
Distt. Jind (Haryana) 126 102.
Aged about 23 years

61. Vikas Dahiya
S/o Sh. Samsher
R/o V.P.O – Birdhana, Teh. & Distt. – Jhajjar – 124 103.
Aged about 20 years

62. Mohit
S/o Sh. Bijender
R/o V.P.O. Morkheri, Teh. Sampla,
Distt. – Rohtak, Haryana
Aged about 21 years

63. Paras
S/o Sh. Hansraj
R/o VPO – Kheri – Jassaur, Teh. – Bahadurgarh,
Distt. – Jhajjar – 124 505.
Aged about 25 years

64. Tilak Raj
S/o Sh. Chand Singh
R/o V.P.O. Bhainsru Khurd, Rohtak,
Haryana – 124 501.
Aged about 26 years

65. Amit
S/o Sh. Dilbag
R/o V.P.O. Kilo, Teh. Rohtak,
Distt. Rohtak, Haryana.
Aged about 25 years

66. Amit
S/o Sh. Azad
R/o V.P.O. Kansala, Teh. Rohtak,
Distt. Rohtak, Haryana.
Aged about 21 years

67. Annu Devi
D/o Sh. Manke Ram
R/o V.P.O. Kassar, Teh. – Bahadurgarh,
Distt. – Jhajjar.
Aged about 25 years

68. Indu Kumari
W/o Sh. Surjeet Kumar
R/o V.P.O. – Chhatera, Bahadur Pur,
Teh.-Sonepat, Distt. – Sonepat (Haryana).
Aged about 27 years

69. Deepak Raj
 S/o Sh. Jai Singh
 R/o VPO-Morkheri, Teh. – Sampla
 Distt. – Rohtak (Haryana).
 Aged about 21 years

70. Parveen Kumar
 S/o Sh. Raj Kumar
 R/o. V.P.O. Assan,
 Distt. & Teh. - Rohtak, (Haryana).

71 Monu
 S/o Sh. Ram Chander
 R/o C – 640, Sarojani Nagar,
 New Delhi
 Aged about 25 years

(Terminated postal assistants/sorting assistants) ...Applicants

(By Advocate:Shri Ajesh Luthra)

Versus

1. Union of India through the Secretary,
 Ministry of Communications &
 Information Technology,
 Department of Posts, Dak Bhawan,
 Sansad Marg, New Delhi.
2. The Director General of Postal Service,
 Department of Posts (Recruitment Division),
 Dak Bhawan, Sansad Marg, New Delhi.
3. The Superintendent of Post Offices,
 Bhiwani Division,
 Bhiwani – 127 021.
4. The Superintendent of Post Offices,
 Gurgaon Division,
 Gurgaon – 122 016.
5. The Chief Postmaster General,
 Haryana Circle,
 Ambala – 133 001.
6. The Superintendent,
 Railway Mail Service,
 HR Division,
 Ambala – 133 001.
7. The Senior Superintendent of Post Offices,
 Karnal Division,
 Karnal – 132 001.

8. The Superintendent of Post Offices,
Faridabad Division,
Faridabad – 121 001.
9. The Senior Superintendent of Post Offices,
Rohtak Division,
Rohtak – 124 001.
10. The Superintendent of Post Offices,
Hissar Division,
Hissar – 125 001
11. The Superintendent of Post Offices,
Kurukshetra Division,
Kurukshetra – 136 118.
12. The Superintendent of Post Offices,
Sonepat Division
Sonepat – 131 001

... Respondents

(Respondents No. 3 to 12 to be served through respondent No. 2)

(By Advocate:Dr. Ch.Shamsuddin Khan)

ORDER (ORAL)

By Hon'ble Mr. V. Ajay Kumar, Member (J)

Heard both sides.

2. It is submitted that in the identical circumstances, the Hon'ble Apex Court in the case of **Monu Tomar vs. Union of India & Ors.** in Civil Appeal No.10513 of 2016 by order dated 13.07.2017 observed as under :-

"Permission to file SLP granted.

Delay condoned.

We have heard learned counsel for the appellants/petitioners and we have also heard learned Additional Solicitor General who has been instructed by officers of the concerned Department.

We have also perused the report of the Vigilance Committee set up by the Department.

We find from a perusal of the report of the Vigilance Committee that the entire examination was not necessarily vitiated but some persons who are suspected of having used malpractices in the examination of Postal Assistant/Sorting Assistant in five circles, viz., Uttarakhand, Rajasthan, Chhattisgarh, Haryana and Gujarat have actually been identified. The respondents will proceed against them in accordance with law but since they are quite a few in number, a formal show

cause notice is dispensed with. However, they may be personally called and explained the allegations against them and given some reasonable time of about a week or ten days to give their reply to the allegations and then a final decision may be taken.

Those persons who are not suspected of having committed any malpractices and who have undergone the prescribed courses may be reinstated with all consequential benefits and 50% back wages with liberty to the respondents to take action against them in case subsequently it is found in the investigation that they have indulged in some malpractices.

We make it clear that the respondents are at liberty to take action against those persons who have violated the terms of the examination such as having appeared in more than one centre. Such violations will also be treated as malpractice.

We further make it clear that this order will not enure to the benefit of those persons who have not been given appointment letters. However, we also make it clear that those candidates who have not completed the course but were in the process of completing the course until the impugned action was taken may be permitted to complete the course/training provided they are not suspected of any malpractice.

The appeals and special leave petitions stand disposed of.

Pending applications are also disposed of."

3. Both the counsels submit that the instant OA may be disposed of in terms of the aforesaid decision of the Hon'ble Apex Court. Accordingly, the OA is disposed of in terms of the decision in the case of **Monu Tomar (supra)** and the respondents shall pass appropriate orders within six weeks from the date of receipt of a copy of this order.

MA, if any pending, is also disposed of.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

/uma/