

**Central Administrative Tribunal
Principal Bench**

OA No. 1854/2012

New Delhi this the 18th day of December, 2015

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Dr. B.K. Sinha, Member (A)**

Shri Kuldeep
S/o Shri Ajit Singh,
R/o H.No. 104 (OLD NO.94),
Behind SBI, Vill & PO Kanjhawala,
Delhi-110081

-Applicant

(By Advocates: Pt. Sama Singh and Mr. Bhawani shanker
Sharma)

VERSUS

1. Govt. of NCT of Delhi,
Through its Chief Secretary,
Delhi Secretariat, IP Estate,
New Delhi-110002
2. The Principal Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat, IP Estate,
New Delhi-110002
3. The Director,
Directorate of Delhi Fire Service,
Govt. of NCT of Delhi,
Headquarters Connaught Lane,
New Delhi-110001
4. Asstt. Commissioner (Fire)
Delhi Fire Service,
Govt. of NCT of Delhi,
Headquarters Connaught Lane,
New Delhi-110001

-Respondents

(By Advocate: Ms. Harvinder Oberoi)

ORDER (Oral)

Mr. V. Ajay Kumar, Member (J):

Heard both the sides.

2. The applicants offer of appointment for the post of Driver in Delhi Fire Service was treated as withdrawn and cancelled vide Annexure A-1 dated 17.02.2012 on the ground that his driving license was not verified by the Licensing Authority, Mathura. The subject matter of this OA is squarely covered by a judgment of a Coordinate Bench of this Tribunal in OA No. 260/2013 and batch dated 07.07.2014 and the operative portion of the same reads as under:-

%23. In view of the above seminal finding, i.e., the applicants have not questioned the Report dated 15.11.2010 of the RTO, Agra till date, wherein it was stated that the driving licences of the applicants were forged and not issued by the Competent Authority and no fee has been deposited in that office for issuance of the same and against one of its employee Shri Sita Ram, who was responsible for this fraud, departmental and criminal action was initiated, and the impugned action of the respondents is only a consequential action to the said Report dated 15.11.2010, and that they have no other alternative except to accept the same, unless the same is declared invalid and not binding on them by any Authority or Court, and also in view of the judgement in OA No.807/2013 and batch, we do not find any merit in the present OAs. For the same reasons, the grounds now raised and the Judgements relied on, in support of the said grounds, all being relating to the consequential termination basing on the unquestioned Report dated 15.11.2010, need not be gone into.

24. Hence, for the aforesaid reasons, and also for the parity of reasons mentioned in OA No.807/2013 and batch, dated 19.02.2014, we do not find any merit in these OAs and accordingly, the same are dismissed. However, this order shall not preclude the applicants from questioning the Report dated 15.11.2010 of the RTO, Agra, if so advised, in accordance with law. No order as to costs.+

3. In the circumstances and for parity of reasons, this OA is also dismissed in terms of the aforesaid OA. However, this order shall not preclude the applicant from questioning the action of the concerned RTA Authority, before an appropriate forum, if he so desires, in accordance with law. No costs.

(Dr. B.K. Sinha)
Member (A)

(V. Ajay Kumar)
Member (J)

/lg/