

**Central Administrative Tribunal
Chandigarh Bench
(Circuit Bench at Jammu)**

**OA No.61/1319/2017
(SWP No.1123/13)**

Decided on : 20.09.2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. P. Gopinath, Member (A)**

Abdul Hamid Sohil, age 42 years,
S/o Late Sh. Abdul Rehman Sohil,
R/o Village Neel (Halla),
Tehsil Banihal District Ramban.

... Applicant

(By Mr. R.K.S. Thakur, Advocate.)

Versus

1. Union of India,
Ministry of Telecommunication and Post Offices,
New Delhi.
2. Chief Post Master General J&K Circle, Jammu.
3. Superintendent Post Office, Udhampur.
4. Assistant Superintendent of Post Office,
Sub Division, Batote.
5. Sub Postmaster Post Office, Banihal.
6. Sh. Liyakat Ahmed Tantray
S/o Sh. Abdul Khaliq Tantray,
R/o Village Tantray Pura Duligam,
Post Office Duligam, Tehsil Banihal,
District Ramban.

... Respondents

(By Mr. Harshwardhan Gupta, Advocate)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :

1. The Department of Posts issued a Notification on 02.04.2013 proposing to fill the post of GDS (Mail Career II) Parinder Branch Office in the State of J&K. The last date stipulated for submission of application was 02.05.2013. Applicant claims to have submitted his application in response to the Notification. His grievance is that though he possessed the qualification and secured more marks in Matriculation than the respondent No. 6, the latter was selected and he was denied appointment. By pleading this and other grounds, he challenges the action of the respondents in selecting the 6th respondent, while ignoring him.
2. The respondents No. 1-5 filed counter affidavit. In para 5, it is stated that the application containing the name of the applicant filed as Annexure R-1, does not contain any signature nor was it accompanied by any certificate of date of birth. It is stated that once the application was not in proper order, it was not taken into account and in the process of selection, 6th respondent was appointed.

3. We heard Sh. R.K.S. Thakur, learned counsel for the applicant and Sh. Harshwardhan Gupta, learned counsel for the respondents No. 1-5.

4. The notification issued vide Annexure A-6 is very clear in its purport. An applicant is required to submit the following:-

(a) Copy of date of birth certificate

(b) Copy of marks certificate in Matriculation Class

5. It was mentioned that a candidate should possess the qualification of 8th class and the candidate with matriculation qualification would be preferred. It is further stated that the selection process does not comprise of any interview and marks in matriculation will be the decisive criteria.

6. We do take into account the assertion made by the applicant that he secured 56.5% marks in matriculation and 6th respondent secured 51% marks. However, the application submitted by the applicant (Annexure R-1) does not contain applicant's signature, nor it is accompanied by date of birth certificate. The importance of signature in any application hardly needs any emphasis. It is only when a person puts his signature, that the application gets its authenticity. It is for this reason that even where an individual is illiterate, his thumb impression is taken. When the applicant did not choose to put

his signature on the application, no one can come to his assistance. For all practical purposes, Annexure R-1 cannot be attributed to the applicant at all or for that matter, to anyone else. When such is the lapse, there is no way that one can find merit in the OA. Accordingly, the OA is dismissed. There shall be no order as to costs.

(P. Gopinath)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/ND/