

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00300/2019
Chandigarh, this the 02nd day of April, 2019

...
CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)

...
Ankush Kumar, aged about 28 years, s/o Sardari Lal, resident of Village Chotepur, Tehsil and District Pathankot (Group D Post) – 145001.

....Applicant

(Present: Mr. Gagandeep Singh, Advocate)

Versus

1. Union of India through Secretary Defence, Government of India, Rajpath, E-Block, Central Secretariat, New Delhi – 110011.
2. The Commanding Officer, 5121 ASC Bn. (MT) c/o 56 APO.

Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant assailing the order dated 16.01.2014 (Annexure A-5), whereby his candidature for the post of Cleaner has been rejected.
2. Along with the O.A., the applicant has filed an M.A.(No. 575/2019) for condonation of delay of 1524 days in filing the O.A.
3. Heard.
4. The respondents issued advertisement dated 26.11.2011 (Annexure A-1) for recruitment of civilian candidates for the post of Cleaner. Applicant, being eligible, applied for the post under SC category. He was called for physical test which he successfully cleared. He appeared in and qualified the written examination as well. He was provisionally selected and was called for document verification. By impugned order dated 16.01.2014 (Annexure A-5), the candidature of the applicant has been cancelled on the ground

that the authority who attested his documents, has stated that the same have not been attested by him. So the documents submitted by him were found to be fake and his candidature has rightly been cancelled on that ground, and therefore, we find no reason to interfere with the order passed by the respondents rejecting his candidature.

5. Moreover, the matter fails on delay and laches also. Though an MA for condonation of delay has been filed, but no justifiable reason has been given therein to condone such a huge delay. The other persons have been appointed in the year 2016 itself and the applicant sat over the matter for the last three years. The only reason, that the applicant could not approach the Court because he did not have means, is not a ground, much less cogent, to condone the inordinate delay in filing the O.A. for redressal of his grievance. Moreover, submission of fake documents is a serious lapse which cannot be overlooked and therefore, his candidature has rightly been cancelled.

6. In view of the above, we find both the O.A. and MA devoid of any merit, which are dismissed as such.

(P. GOPINATH)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 02.04.2019