

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAIOA No.210/641/2016

Dated this Thursday the 10th day of October, 2019

Coram: Dr. Bhagwan Sahai, Member (A).
R.N. Singh, Member (J).Shri Malji Mahadu Vetkoli
Age 55 years, Occupation: Nil,
R/o. Neelkanthvilla,
Sec.19, Plot No.38, Room No.301,
Khandeshwar, Navi Mumbai-410 209.

...Applicant.

(By Advocate Shri Robin Thomas).

Versus

1. Union of India
through the Secretary,
G.P.O. Of India Ministry of
Communication and its
Department of Post,
Dak Bhawan, Kashmere Gate,
New Delhi-110 006.
2. Superintendent of RMS
Mumbai Sorting Division,
Mumbai-01.
3. Director Postal Service,
Mumbai Region,
Mumbai Division,
Mumbai-400 001.
4. Chief Post Master General,
Maharashtra Circle, G.P.O.
Mumbai-400 001.

... Respondents.

(By Advocate Shri A. M. Sethna).

O R D E R (O R A L)
Per : R. N. Singh, Member (J)

Present.

1. The applicant and Shri Robin Thomas, learned

counsel for the applicant.

2. Shri A. M. Sethna, learned counsel for the respondents.

3. The learned counsel for the applicant has argued that the Caste Scrutiny Committee has not taken into consideration the fact that on their directions the applicant has produced the original caste certificate before them. To substantiate his submissions he invites our attention to the page no.96 which the applicant claims to be the true copy of the caste certificate on basis of which he has obtained the employment under the respondents. The copy of the certificate which appears at Page no.96 of the OA does not disclose the authority who has issued the same. The same is also bearing three seals one out of them has been crossed and the same also bears sign and seal of Special Executive Magistrate (Vishesh Karyakari Adhikari).

4. The learned counsel for the applicant submits that the said document at page no.96 has been attested by him. When it has been put to learned counsel as to whether while attesting the said document he has seen the original thereof, he has produced two caste certificates; one bears the date as

15.10.1982 and purported signature of one Mr. M. H. Shaikh, Tahasildar, Masla. The other certificate bears the date as 13.10.1990 and bears a purported signature of Tahasildar, Masla. However, name of the said Tahasildar is not apparent thereon.

5. Though this Tribunal is not an expert on the verification of the certificate. However, from the naked eyes it transpires that the page no.96 of the OA is in no way a copy of the two original certificates, produced by the learned counsel for the applicant under instructions from the applicant who is present in court.

6. The aforesaid original certificate dated 15.10.1982 which is claimed by the applicant as original caste certificate is apparently issued by Tahasildar, dist-Raigad whereas the aforesaid original certificate dated 13.10.1990 is stated to be issued by Tahasildar Masla, District Colaba.

7. A copy of these two purported original documents is taken on record and the original as produced by the learned counsels are returned herewith to them.

8. In view of the above, it appears that the applicant has tried to mislead this Tribunal by

producing false/fabricated documents certified as copy of the original certificates. However, at this stage, the learned counsel for the applicant under instructions from the applicant who is present in court, seeks permission to withdraw the OA.

9. In the facts and circumstances, we could have referred the matter to the appropriate authority for proper investigation into the matter. However, keeping in view the fact that in spite of all the facts were well within the knowledge of respondents and they have not chosen to refer the matter to the concerned authority for necessary investigation and in view of the request of the applicant through his learned counsel, we are restraining ourselves from doing so.

10. In view of the aforesaid, the OA stands dismissed as withdrawn. No order as to costs.

^
(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

50
22/10/19