

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.9001 of 2015**

- =====
1. The Union of India through Director General-cum-Secretary, Department of Posts, Dak Bhawan, New Delhi.
  2. The Chief Postmaster General, Bihar Circle, Patna.
  3. The Director of Postal Services (HQ), O/o the Chief Postmaster General, Bihar Circle, Patna.
  4. The Asstt. Director (Staff & Recruitment), O/o the Chief Postmaster General, Bihar Circle, Patna.
  5. The Superintendent of Post Offices, Rohtas Division, Sasaram.

.... .... Petitioner/s

Versus

1. Priyanka Singh d/o Sri Bharat Singh resident of Mohalla Gajrarh Gaurakshani, Road No. 1-A, Near Nath Nursing Home, Sasaram, District - Rohtas.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar(ASG)

For the Respondent/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**

**and**

**HONOURABLE JUSTICE SMT. NILU AGRAWAL**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)**

**Date: 17-08-2015**

I.A.No. 6564 of 2015 has been filed for stay of the order of the Central Administrative Tribunal, as passed in O.A. No.539 of 2011, being the judgment and order dated 22<sup>nd</sup> October, 2014(Priyanka Singh Vs. Union of India and others).

2. Having heard the learned for the Union of India in regard to the said application at length, we are of the view that it is neither a case for grant of stay nor of any further indulgence by this Court in writ jurisdiction. The applicant before the Tribunal had applied for the post of Postal/Sorting Assistant in the Postal Department, pursuant to advertisement issued. She was short-listed and appeared in the typing/computer test and in Aptitude test. She was provisionally

selected and she went to medical examination. At that stage, instead of issuing a letter of appointment and order to join, she was informed that she did not possess the essential qualification for recruitment, and has been deleted from the select list. The reason is that she did not have the Hindu(local language) either in Matriculation or Intermediate, which was essential for the post.

3.The matter was contested in the Tribunal, and the Tribunal noticed that she had studied upto Class VIII in Hindi Medium School. Thereafter, she had done her Matriculation from All India Secondary School Examination, 2007(C.B.S.C) with Sanskrit as a subject, and then she did her All India Senior School Certificate Examination, 2009(Plus-2) (C.B.S.C.) again with Sanskrit as the core subject along with other subjects. She was pursuing B.Sc.(Honours) in which she had a paper of Hindi Composition as compulsory paper. Noticing these facts, the Tribunal held that the deletion of her name from the select list was wrong and allowed her application.

4. In view of the facts, as noted above, we are not inclined to stay or interfere with this writ petition. The writ petition is, accordingly, dismissed.

**(Navaniti Prasad Singh, J)**

BK.Roy/-

**(Nilu Agrawal, J)**

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|