

THE HON'BLE SHRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.11568 OF 2012

DATED 30th JANUARY, 2015

Between:

G.Prabhakar

... Petitioner

And

The Karimnagar District Charged Officer-operative
Central Bank Limited, Sikhwadi, Opp: I-Town Police Station,
Karimnagar District, rep. by its Chief Executive Officer.

... Respondent

THE HON'BLE SHRI JUSTICE SANJAY KUMAR

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ORDER

By way of this writ petition, the petitioner challenges the action of the Karimnagar District Cooperative Central Bank Limited in rejecting his B.Com. degree on the ground that it was obtained from Kalinga University, Raipur, Chattisgarh, while considering his candidature for promotion to the post of Staff Assistant/Clerk.

By interim order dated 20.04.2012, this Court directed that if the selection process had not been completed, the bank should consider the case of the petitioner basing upon the certificate obtained by him from Kalinga University.

WVMP No.2435 of 2012 was filed by the bank to vacate the said order. Therein, the bank stated that the candidature of the petitioner was rejected only on the ground that he failed to produce original certificates at the time of his interview on 09.03.2012. The bank further stated that the selection process was completed on that day itself.

Though the petitioner filed a reply-affidavit in response to the counter, he did not specifically state therein that he had produced his original certificates at the time of the interview. On the other hand, he baldly stated that as a matter of common prudence no employee would attend the oral interview without possessing original certificates. In the absence of a specific averment to the effect that he did produce the original certificates at the time of his interview, this Court is inclined to accept the counter averment that the petitioner failed to do so. It is not

the case of the petitioner that the bank is inimical to him personally for it to resort to falsehoods. Further, there is no rebuttal of the bank's claim that the selection process was completed on 09.03.2012 itself. The present writ petition was filed on 18.04.2012.

It is not the case of the bank that the candidature of the petitioner was not considered on the ground that his qualification was obtained from Kalinga University. Thus, on more counts than one, this writ petition must fail and it is accordingly dismissed. Interim order 20.04.2012 shall stand vacated. Pending Miscellaneous Petitions, if any, shall stand dismissed. No order as to costs.

SANJAY KUMAR, J

30th JANUARY, 2015
PGS