

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10840 of 2014

1. The Union of India, through the D.G. cum Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Post Master General, Bihar Circle, Patna.
3. The Director of Postal Services (Hqr) O/o the Chief Postmaster General, Bihar Circle, Patna.
4. The Asstt. Director (Staff), O/o the Chief Postmaster General, Bihar Circle, Patna.
5. The Superintendent of Post officers, Aurangabad Division, Aurangabad.

.... Petitioners

Versus

Nirbhay Kumar Singh, Son of Sri Rameshwar Singh, resident of Village - Shiva Bigha, P.O. Cheia, Via - War, P.S. Salaiya, District – Aurangabad.

.... Respondent

With

Civil Writ Jurisdiction Case No. 10928 of 2014

1. The Union of India, through the D.G. cum Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Post Master General, Bihar Circle, Patna.
3. The Director of Postal Services (Hqr) O/o the Chief Post Master General, Bihar Circle, Patna.
4. The Asst. Director (Staff) O/o the Chief Post Master General, Bihar Circle, Patna.
5. The Superintendent of Post Offices, Aurangabad Division, Aurangabad.

.... Petitioners

Versus

Amod Kumar Singh, Son of Sri Ram Swaroop Singh, resident of Mohalla- MG Road, Near Amit Hotel District- Aurangabad.

.... Respondent

With

Civil Writ Jurisdiction Case No. 11213 of 2014

1. The Union of India, through the D.G. cum Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Post Master General, Bihar Circle, Patna.
3. The Director of Postal Services (Hqr) O/o the Chief Post Master General, Bihar Circle, Patna.
4. The Asstt. Director (Staff) O/o of the Chief Post Master General, Bihar Circle, Patna.
5. The Superintendent of Post Offices, Aurangabad Division, Aurangabad.

.... Petitioners

Versus

Mahendra Kumar Singh, Son of Sri Parmeshwar Singh, resident of Village - Basdiha Gopal, P.O. - Hariharganj, P.S. - Kutumba, District - Aurangabad.

.... Respondent

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Appearance :

(In all the cases)

For the Petitioners : Mr. S. D. Sanjay, A.S.G

For the Respondents : Mr. Manager Sah, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 18-04-2016

The order dated 6th February, 2014 passed by the Central Administrative Tribunal, Patna Bench, Patna (for short, 'the Tribunal') is subject matter of challenge in the present writ applications preferred by the Union of India.

The learned Tribunal has directed the respondents to be reinstated in service. The respondents were dismissed consequent to disciplinary proceedings initiated against them for tampering with the mark sheets obtained from Bihar Intermediate Education Council. The learned Tribunal allowed the writ application in the light of the earlier order passed by the Tribunal on 17.04.2013 giving liberty to the petitioners to substantiate the charge that the respondents got appointment on the basis of forged mark-sheets.

In the counter affidavit, it has been explained that earlier in O.A. No.293 of 2012, the respondent challenged the order of dismissal which was quashed on 17.04.2013. It is the said order which was challenged vide CWJC No.15846 of 2013 which was dismissed on

21st of August, 2015.

In view of the decision in earlier O.A.No.293 of 2012 which stands affirmed by a Division Bench of this Court in CWJC No.15846 of 2013, the present writ applications are dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	N. A. F.R.
CAV DATE	N. A.
Uploading Date	20.4.2016
Transmission Date	