

CWP No.339 of 2016

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**In the High Court of Punjab and Haryana at
Chandigarh.**

**CWP No.339 of 2016
Date of Decision: 11.01.2016.**

Jaivir

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rajinder Goyal, Advocate,
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 226 of the Constitution of India challenging the order dated 23.12.2015 (Annexure P-12).

Learned counsel for the petitioner has submitted that petitioner had applied for the post of Postal/Sorting Assistant. Petitioner was issued a show-cause notice dated 15.07.2015 to explain his position qua difference in his signatures on Data Entry Test and Typing Test with his signatures on OMR sheet. Petitioner had submitted his reply to the show-cause notice. However, without considering the same, the impugned order had been passed.

In the present case, respondent No.2 had issued an advertisement dated 21.02.2014 (Annexure-P1) for direct recruitment of Sorting Assistants etc. Petitioner being eligible, applied for the post of Postal/Sorting

Assistant. Petitioner was issued roll number vide Annexure P-3 for appearance in Aptitude Test. Petitioner cleared the said test and thereafter appeared for the typing test on 12.07.2014. However petitioner was issued show-cause notice dated 15.07.2015 (Annexure P-5) along with the report obtained from Central Forensic Science Laboratory, Shimla (hereinafter referred as 'CFSL'), Annexure P-6. As per Annexure P-5, the signatures on answer sheet of written exam, Typing Test evaluation sheet and Data Entry Test evaluation sheet were alleged to be different. Petitioner submitted his reply to the show cause notice dated 21.07.2015 (Annexure P-7). Petitioner appeared before respondent No.3 on 24.08.2015. Petitioner submitted his written application along with 5 specimen signatures. Petitioner also served a legal notice on the respondents seeking a direction that the respondents be directed to appoint the petitioner as Postal/Sorting Assistant. Thereafter, petitioner approached this Court by way of CWP No.27057 of 2015 as the legal notice was not decided by the respondents. The writ petition filed by the petitioner was disposed of vide order dated 23.12.2015 (Annexure P-11) and the respondents were directed to dispose of the legal notice submitted by the petitioner by passing a speaking order within a period of three months. However, the claim of the petitioner was rejected vide order dated 23.12.2015 (Annexure P-12).

A perusal of the impugned order reveals that petitioner was issued provisional selection letter dated 21.10.2014 subject to verification of documents. At the time of verification of the documents, it came to the notice of the respondents that signatures of the petitioner on OMR sheet did not match with the signatures on Data Entry Test and Typing Test. The matter was sent to CFSL, Shimla for verification. As per the report dated 30.04.2015, the signatures on Data Entry Test and Typing Test did not match with the signatures on the OMR sheet. Since, the respondents had received the report from the expert that the signatures of the petitioner on data entry sheet and typing test did not match with his signatures on OMR sheet, the respondents have rightly rejected the claim of the petitioner for appointment as Postal/Sorting Assistant. The respondents were further within their rights to order that the petitioner would have no right to claim the job of Postal/Sorting Assistant in RMS 'HR' Division in future. The impugned order does not suffer from vice of illegality and calls for no interference.

Dismissed.

January 11, 2016
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(SABINA)
JUDGE