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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8361/2015

MINISTRY OF RAILWAYS & ANR. Petitioner
Through: Mr. R.V. Sinha and Mr. A.S. Singh,
Advs.

versus

VINOD NARMAL Respondent
Through: Mr. A.K. Trivedi, Adv.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
08.02.2016

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Ministry of Railways and Railway Recruitment Cell, Northern Railway have impugned order dated 16th March, 2015 passed by the Central Administrative Tribunal in O.A. No. 1240 of 2014 filed by respondent herein, Vinod Narmal.

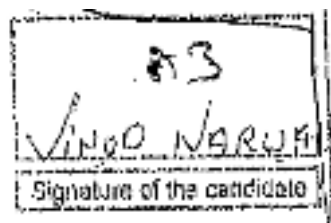
2. The contention raised is that the petitioner was right in rejecting and invalidating the application for recruitment filed by the respondent as he had signed in English in capital letters. This was contrary to the instructions and the Tribunal has erred in showing indulgence.

3. The application filed by the respondent was processed and admit card was issued. The respondent thereafter had participated in the written examination and was called for physical examination and medical examination. Only thereafter, the respondent's candidature was rejected

on the ground that his application form has been declared as invalid.

4. Photocopy of the application for recruitment is placed on record. It has thumb impression of the respondent as well as his signature. The application form itself did not indicate and stipulate that the signature should not be in capital letters. However, the said instructions were mentioned in the notice inviting the applications from the public.

5. In the present case, we notice that the respondent's signatures in English are distinctive and have unique features and characteristics. The first alphabets "V" and "N" and other alphabets are written in their own peculiar fashion. Nobody viewing and examining the said signatures would misunderstand and read and record the said signature as written by a person who is merely writing or penning down the alphabets in capital letters representing his name. For the sake of clarity, we would like to reproduce the snapshot of the two signatures given in the application form:



6. We also observe that surname of the respondent is "Narmal", but in his signature he has spelt the same as "Narwal". Another Division Bench of

this Court in WP(C) 1004/2012 ***Delhi Subordinate Services Selection***

Board vs. Neeraj Kumar had the occasion to consider a similar controversy and had observed as under:

“9. Furthermore, in order to ascertain as to whether there was any violation of the conditions stipulated in the advertisement with regard to signing in English in block capital letters, we directed the learned counsel for the petitioner on the previous occasion to place before us a copy of the very application form, submitted by the respondent. That copy is available with us and we find that the respondent has not signed in block capital letters in English as whole of his signature is not in capital letters. This is apparent from the fact that below the space provided for signature of the candidate, there is space indicated for giving name of the candidate: Whereas the name has been written entirely in block capital letters in English in the form “NEERAJ KUMAR”, the signature of the candidate, above it, is in the following form “NEERAJ Kr.”. It so happens that this is the way in which the respondent signs normally and in order to make the clearer, an image of the signature and name, as given in the application form is reproduced hereinbelow:

10. It is absolutely clear that the signature of the candidate is different from the manner in which his name has been written which is entirely in block capital letters in English. Therefore, in our view, it cannot be said that the respondent has signed the application in block capital letters in English.”

7. The aforesaid reasoning would equally apply to the facts of the present case.
8. The respondent had signed the application form as he would normally sign.
9. The writ petition has no merit and is accordingly dismissed. The candidature of the respondent will be process in accordance with law within 21 days from the date when the copy of this order is received by the petitioners in their office.

SANJIV KHANNA, J.

NAJMI WAZIRI, J.

FEBRUARY 08, 2016
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