

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1282 of 2017

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Smt. Sadhna Kumari, Wife of Sri Gorab Kumar, Resident of Village-Balha, P.O.-
Araria Balha, Via-Gogari Jamalpur, P.S.-Parbatta, District-Khagaria (Bihar)

.... Petitioner/s

Versus

1. The Union of India through the Director General-Cum-Secretary, Department of Post, Government of India, Dak Bhawan, Sansad Marg. New Delhi.
2. The Chief Postmaster General, Bihar Circle, Patna-800001.
3. The Chief Postmaster General, Northern Region, Muzaffarpur (Bihar).
4. The Director Postal services Office of the P.M.G., Northern Region, Muzaffarpur (Bihar)
5. The Superintendent of Post Office, Begusarai Division. Begusarai-851101(Bihar)
6. The Inspector of Post, West Sub-Division, Khagaria-851204.
7. Sri Ashok Kumar Paswan, Son of Sri Suresh Paswan Resident of Village-Sri Bhagat Tola Gogri, P.O.-Gogri, District-Khagaria, working as G.D.S.B.P.M. Araria, Balha G.D.S.B.O. in account with Jamalpur Gogri S.O., District-Khagaria under Begusarai Postal Division, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suryakant Kumar, Advocate
For the Respondent/s : Mr. Sanjay Kumar, ASG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 06-04-2017

Heard counsel for the petitioner and the counsel for the
Union of India.

2. The Central Administrative Tribunal while passing the order dated 2nd November, 2016 in O.A. No. 829 of 2012 decided to set aside the appointment of Respondent no.7 since it was obtained on the basis of some kind of forged marks-sheet. That *suo motu* does



not create a right in favour of the petitioner to be appointed especially when it has been found that there are at least five other persons with higher marks and better placed within the zone of consideration for such appointment on the post of GDSBPM under the Postal Department.

3. As a desperate measure, submission is made on behalf of the petitioner that respondent-authorities are going to make appointment on the post by persons, who may have higher marks, but none of those five persons are eligible and suffer disqualification. That aspect is not required to be answered in this writ application. As and when such appointments are made and if it is made of a person, who suffers from disqualification, it is obvious that such appointments will be vulnerable.

4. Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.04.2017
Transmission Date	NA

