

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3560 of 2017

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Sanjay Kumar, son of Late Chandeshwar Tiwary, resident of Village-Mouri, Via Shankarpur Imamganj, P.S.- Paliganj, District- Patna.

.... Petitioner

Versus

1. The Union of India through the Chairman, Chief Post Office, New Delhi.
2. The Senior Superintendent of Post Offices, Gaya Division, Gaya.
3. The General Manager, General Post Office, Patna.
4. The Director Post Services (Offices), Bihar Circle, Patna.
5. The Chief Post Master General, Bihar Circle, Patna.
6. The Post Superintendent, Jehanabad West.
7. The Post Superintendent, Jehanabad Sub-Division, Arwal.
8. The Vice Postman, Shankarpur, Imamganj, District Officer, Sitamarhi.
9. The Branch Postman, Purania.
10. Kunal Kumar, son of Anil Kumar Sharma, resident of Village-Sharma, PO- Ghosi, PS- Ghosi, District- Jehanabad.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
Mr. Jay Prakash Singh, Advocate
For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)
Mr. Rajesh Kumar Verma, C.G.C.

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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: 10-04-2017

Heard learned counsel for the parties.

2. Submission without supporting material only remains a submission which cannot be form basis for adjudication. This is what happened in the present case.

3. Submission made by learned counsel for the petitioner before the Central Administrative Tribunal (for short the "Tribunal"), Patna Bench, Patna that marks of optional paper could not be considered and included for



the selection in Gramin Dak Sevak-cum-Distributor, was not supported by any circular or even a declaration by any forum, therefore, the Tribunal refused to bite the argument so made.

4. In addition to that the Tribunal has also dismissed the O.A. application vide order dated 28.11.2016, because the O.A. application was time barred.

5. If, there was some merit in the main argument made on behalf of the petitioner, the Court could have considered setting aside the order relating to limitation, but since we do not reach any conclusion contrary to what the Tribunal has reached on the basis of no supporting material and evidence with regard to the pleadings, this Court would refuse to interfere with the impugned order dated 28.11.2016 and M.A. No. 427 of 2016.

6. Accordingly, this writ application stands dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Rajeev/-

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