

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11759 of 2017

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Khushboo Kumari, D/o Sri Kumud Kumar Singh, Resident of Sarvodya
Nagar, P.O. Mirzapur Bamduar, District- Begusarai.

.... Petitioner

Versus

1. The Union of India through the Chief Post Master General, Bihar
Circle, Patna.
2. The Post Master General, Northern Circle, Muzaffarpur.
3. The Superintendent of Post Offices, Begusarai Division, Begusarai.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Respondent/s : Mr. S.D Sanjay, A.S.G.

Mr. Ram Anurag Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 14-09-2017

Heard learned counsel for the petitioner and learned

Additional Solicitor General representing the Union of India.

The Central Administrative Tribunal, Patna Bench,
Patna seems to be in error in dismissing the Original Application
No. 434/2011 vide order dated 12th September, 2013 by treating
the 10+2 certificate issued by the Central Board of Secondary
Education (in short the "CBSE") to be a course of study in
vocational subject.

Not only the certification issued by the CBSE dated
06.03.2013 contained in Annexure-10 to the writ application belies



that position, but even from perusal of the mark-sheet issued in favour of the petitioner, it is evident that these courses were offered as regular course of study and it was not stream of studies in vocational course.

Since the subjects are offered by the CBSE as a regular course, the debarment of petitioner from consideration on the post of Postal Assistant under the Postal Department is erroneous. The petitioner has the requisite qualification as her certificate of 10+2 is not a vocational course. The finding of CAT is misplaced.

The Writ Application is allowed.

The respondent Postal Department is directed to be consider the candidature of this petitioner treating her qualification to be a valid qualification. The decision on the right of the petitioner for appointment must be taken within a period of three months from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J.)

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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