

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5540 of 2021

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1. Kumari Suman, Female, Aged about 34 years, Wife of Santosh Ray @ Santosh Roy, Resident of Village and P.O.- Gauspur Ijra (Izra), P.S.- Hajipur Sadar, District- Vaishali.
 2. Pooja Kumari, Female, Aged about 26 years, Wife of Pinku Sharma Resident of Village- Chaknoor, P.O.- Gadaisarai, P.S.- Hajipur Sadar, District- Vaishali.
 3. Rinki Singh, Female, Aged about 28 years, Wife of Manish Kumar Resident of Village - Sita Chowk Bagauli, Brindawan Colony, Ward No. 6, P.S. and P.O.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The Union of India, Ministry of Postal through the D.G. Cum- Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Post Master General Bihar Circle, Patna.
3. The Superintendent of Post Offices Vaishali Division, Vaishali.
4. Postal Inspector, Mahua, District- Vaishali.
5. Assistant Postal Superintendent Hajipur.
6. Postal Inspector Hajipur.
7. Postal Inspector Goraul Division, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Dr. Om Prakash Om, Adv.
For the Respondent/s : Mr. Rajesh Kumar Verma, ASG

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE VIKASH JAIN)

Date : 16-08-2021

Heard learned counsel for the petitioners and learned counsel for the respondents through video conference. Learned counsel for the petitioners has filed an undertaking that all the defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon



resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The present writ petition has been filed *“for quashing the order dated 16th April, 2019 passed in O.A./627/2015 whereby, and whereunder the Central Administrative Tribunal (in short “CAT”), Patna Bench, Patna without considering the case of the petitioners either on the facts or material available on records dismissal the O.A. on the ground that the petitioner having passed Matriculation examination from “Mahakaushal Board of Secondary Education, Jabalpur (M.P.) which neither comes in the list of member Boards of COBSE (Council of Boards of School Education) in India nor in the list of recognized Board of the Ministry of H.R.D. Hence the Petitioners do not fulfill required conditions as per the notification for filling up vacancy for the post of BPM (Branch Post Master) in Sub branches of the Post Offices in the District of Vaishali; for a direction to the respondent concerned to repeat and appoint the petitioners having higher marks to others on the appropriate place”*

3. Learned counsel for the petitioners submits that the petitioners' claim for appointment on the post of Branch Post Master (BPM) has wrongly been rejected by the concerned authority on the ground that Mahakoshal Board of Secondary Education, Jabalpur, M.P. was not found on the list of member Board of COBSE (Council



of Boards of School Education in India) nor in the list of recognized Boards of Ministry of HRD of India. It is however submitted that the said institution is in fact a recognized institution. He invites reference to Para-7 of the writ petition, in turn relying on the petitioners' rejoinder filed before the learned Central Administrative Tribunal, in which it was stated that the said Mahakoshal Board of Secondary Education, Jabalpur, M.P. was recognized for employment under Central/State/Union Territories/Admission for higher education in Indian Board/Universities.

4. Learned counsel for the respondent-Union of India appears and opposes the petition, stating that the institution in question is not so recognized. It is stated that a specific stand in this regard was taken before the learned Central Administrative Tribunal in the written statement.

5. Having heard the parties and on a consideration of the materials on record, this Court finds the writ petition to be devoid of merit. Except a bald assertion being made in Para-7 of the petition to the effect that the said institution is recognized, no document in its support has been enclosed by the petitioners. The learned Tribunal has observed in its order that *“during the course of verification it was found that the name of Mahakoshal Board of Secondary Education, Jabalpur [M.P.] neither appear in the list of member Boards of COBSI [Council of Boards of School Education in India] nor in the*



list of recognized Board of the Ministry of H.R.D. [Annexure [R/1] and since all the applicants having matriculation certificates issued by the Mahakoshal Board of Secondary Education, Jabalpur, their candidature could not be considered for engagement for the post of GDSBPM”

6. The Tribunal has therefore rightly concluded that “*since the Matriculation certificate produced by the applicants before the authorities concerned was not found in the list of the recognized Board of the Ministry of HRD, the respondents have rightly not considered the candidature of the applicants.*”

7. This Court finds no infirmity in the order of the learned Central Administrative Tribunal and is not inclined to interfere in the matter. The writ petition stands dismissed.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioners within the stipulated time provided in para 1 herein above, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

(Anjani Kumar Sharan, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2021
Transmission Date	

