

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9192 of 2024

1. The Union of India through the D.G.-cum- Secretary, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. The Chief Postmaster General, Bihar Circle, Meghdoot Bhawan, Patna-800001.
3. The Director Postal Services (Hq.), O/o Chief Postmaster General, Bihar Circle, Patna- 800001.
4. The Assistant Director, Recruitment, O/o Chief Postmaster General, Patna, Patna G.P.O. Campus, Patna- 800001.
5. The Senior Superintendent of Posts Offices, Saran Division, Chapra, Bihar, Patna- 800001.

... .. Petitioner/s

Versus

Vidushi Tripathi, D/o- Sri Dinesh Tripathi, Village and P.O.- Haraji, P.S.- Awtar Nagar, Block- Dighwara, District- Saran (Chapra), 841207.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Rai, Advocate
For the Respondent/s	:	Mr. Jayant Kumar Karn, Advocate
		Mr. Hemant Kumar Karn, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 12-02-2025

Heard learned counsel for the parties.

2. In the instant petition petitioners have sought for the following relief(s):-

“(i) Quashing the order dated 26.04.2023 passed in O.A. No. 050/00282/2021 (Vidushi Tripathi Vs. the Union of India & Others) by Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as CAT) direction has been given to the petitioners (respondents in the said O.A.) to treat the applicant i.e., the respondent



(petitioner in the said O.A.) eligible for applying for recruitment in the cadre of Gramin Dak Sewak (hereinafter referred to as 'GDS') in pursuance to the notification for such recruitment issued by the petitioners, ignoring the fact that the respondent does not bear the requisite qualification as per the notification i.e., Hindi as a subject in her matriculation and proceed with the process of recruitment.

(ii) Stay of the operation of the order dated 26.04.2023 passed in O.A. No. 050/00282/2021 (Vidushi Tripathi Vs. the Union of India & Others).

(iii) Declaring the order dated the order dated 26.04.2023 passed in O.A. No. 050/00282/2021 (Vidushi Tripathi Vs. the Union of India & Others) is illegal and invalid as the same has been passed while departing from the eligibility criteria as stipulated in the notification issued by the petitioners for recruitment on the post of GDS Cadre.

(iv) Also, for any other relief/reliefs for which the petitioner is found entitled in the eye of law.”

3. Respondent is candidate for the post of Gramin Dak Sewak (hereinafter referred to as 'GDS'), pursuant to the advertisement dated 27.04.2021. Her candidature was not considered in non-fulfilling one of the educational qualification namely “V. Educational Qualification” of advertisement and it reads as under:

V. Educational Qualification

(i) Secondary School Examination pass certificate of 10th standard with passing marks in Mathematics,



local language and English (having been studied as compulsory or elective subjects) conducted by any recognized Board of School Education by the Government of India/ State Governments/ Union Territories in India shall be a mandatory educational qualification for all approved categories of Gramin Dak Sevaks. (Referred to in Directorate Order No. 17-31/2016-GDS dated 25.06.2018).

(ii) Compulsory knowledge of Local Language

The candidate should have studied the local language at least up to 10th standard [as compulsory or elective subjects] as declared by the State Government, or as per constitutional provisions relating to the 8th schedule of Constitution of India. List of Official languages of the state are shown below:-

Sl. No.	Name of Circle	Name of State/Union Territory covered under Postal Circle	Local language as for the Postal Circle
1	Andhra Pradesh	Andhra Pradesh and Yanam	Telugu
2	Assam	Assam (Excluding Three dists. Of Barak Valley and Bodoland Territorial Council Areas)	Assamese
		Three Dist. Of Barak Valley	Bengali
		Bodoland Territorial Council Areas	Bodo
3	Bihar	Bihar	Hindi
23	West Bengal	West Bengal (Other than Darjeeling Postal Division)	Bengali
		Darjeeling Postal Division (other than	Nepali/Bengali



		GTA* Area)	
		Post Offices under GTA* Area (Gorkha Territorial Administration)	Nepali
		Andaman and Nicobar	Hindi/English
		Sikkim	Nepali/English

4. Feeling aggrieved by the non-selection of the respondent to the post of GDS, she had invoked remedy before the Central Administrative Tribunal, CAT, Patna Bench, Patna under Section 19 of the Administrative Tribunal Act in filing O.A. No. OA/050/00282 of 2021.

5. Having regard to the Secondary School Examination Certificate of respondent Vidushi Tripathi that she has passed ENGLISH COMM., COMM. SANSKRIT, MATHEMATICS, SCIENCE and SOCIAL SCIENCE has been interpreted that she has knowledge of local language - Hindi. The CAT has taken note of earlier decision of the co-ordinate Bench of this Court passed in CWJC No. 9001 of 2015 decided on 17.08.2015. In which respondent - Priyanka Singh studied CBSE with Sanskrit as a subject and in B.Sc. (Honours) she had a paper of Hindi composition as compulsory paper. Similarly, in the present case, respondent - Vidushi Tripathi has studied Hindi as one of the subject in the Intermediate Course.



6. If a job posting requires local language in the Matriculation, and a candidate has an intermediate qualification with local language, the higher intermediate qualification would be considered acceptable as it encompasses the required Matriculation level of local language.

7. Taking note of these material information, the petitioners have not made out a case so as to interfere with the order of the CAT dated 26.04.2023 passed in O.A. No. 050/00282/2021.

8. Accordingly, C.W.J.C. No. 9192 of 2024 stands dismissed.

9. Pending I.A.(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

khushbu/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.02.2025.
Transmission Date	

