

11th July, 2025
(D/L No.82)
Ct. No.4
(SKB)

W.P.C.T. 11 of 2025

Abinash Kumar
Versus
The Union of India and others

Md. Salahuddin,
Md. Raziuddin
....for the petitioner.

Mr. Samir Kumar Dutta,
Mr. Tapan Bhanja
... for the respondents.

1. Heard the learned counsel for the petitioner and the learned counsel for the respondent/railway.
2. In 2014 the petitioner appeared for a recruitment process. He was a desirous candidate for the post of Technician Gr. III Fitter. The petitioner emerged successful and reached the stage of verification of documents.
3. During verification of documents, the authorities suspected mismatch in the signature of the petitioner obtained at the time of verification with that obtained at the time of the examination, which resulted in issuance of a show-cause and reply thereto by the petitioner. Thus, the entire exercise led to issuance of an order dated 08.02.2017 whereby the petitioner's candidature was cancelled.
4. It is this order which the petitioner put to challenge before the Central Administrative Tribunal, Kolkata Bench (in short 'Tribunal') in O.A. No.442 of 2017. The Tribunal after considering the issue, disposed of the O.A.442 of 2017 in the following terms:

“5.2 We are inclined to take the same view as in OA no.350/0387/2016 considering the parity in the cases. We, therefore, direct the respondents to get the handwriting of the applicant verified by a Government agency such as the Government Examiner of Questioned Documents or CFSL by following the prescribed procedure. After obtaining the opinion of such experts, the respondents may take a final decision on the candidature of the applicant.

The applicant should be informed of the decision taken in his case, within a period of 60 days from the date of receipt of a copy of this order by the respondents in their office.”

5. The petitioner has approached this court assailing this order.
6. It is submitted by the learned counsel for the petitioner that since the Manual for Railway Recruitment Boards issued by the Government of India, Ministry of Railways, contains a provision which also contemplates matching of finger prints with the help of Finger Print Experts, the authorities should have invoked such provision in the case of the petitioner to properly verify the allegation regarding mismatch in signature having the drastic consequences of cancellation of his candidature.
7. In the meantime, however, in compliance of the order passed by the Tribunal, the petitioner's signature has been verified again by the Central Forensic Science Laboratory, which has resulted in no change. The communication in this regard, dated 19.07.2024 has been sent to the petitioner.
8. The learned advocate for the petitioner submits that the order dated 19.07.2024 has also been assailed by filing O.A.1139 of 2024 which is pending consideration before the Tribunal. He submits that since the issue is still pending for consideration before the Tribunal, he may be permitted to raise the issue regarding matching of

finger prints in addition to matching of handwriting.

9. Without expressing any opinion on the merit of such submission, we leave it open for the petitioner to agitate all issues before the Tribunal, which needless to say would be considered by the Central Administrative Tribunal, Kolkata Bench in accordance with law and the extant rules prevalent in this regard.
10. The writ petition is, thus, disposed of.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Ajay Kumar Gupta, J.)