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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

THIS THE 28TH DAY OF NOVEMBER, 2002

Original Application No. 5 of 1997

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Harihar Nath Mani Tripathi, a/a

31 years, son of Shri Paras Nath

Mani Tripathi, presently working as

Extra departmental letter Box

Peon, Deoria Head Post office,

Deoria.

... Applicant

Versus

1. Union of India through Ministry of Post & Telegraph, New Delhi.
2. Director General(Post) New Delhi.
3. Chief Post Master General U.P.H.Qrs, Lucknow.
4. Senior Supdt. of Post Offices Deoria, district Deoria.

... Respondents

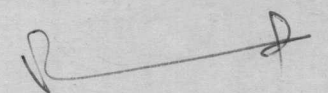
(By Adv: Ms.Sadhna Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has challenged the order dated 24.12.1996 by which result of the applicant declared vide office letter dated 22.10.1996, against departmental quota of OC category candidate has been cancelled.

The facts of the case are that applicant was serving as E.D. Letter Box Peon(EDLBP) Deoria Headquarter. He appeared for selection for the post




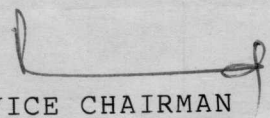
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of Postal Assistant as departmental candidate. The applicant had passed 10+2 intermediate examination. He appeared in written test and interview/type test on 18.9.1996. The total marks secured by him in all components namely 10+2 intermediate, type test/aptitude test/interview/computer test were 52.52. According to the instructions contained in D.D. (Posts) Delhi letter dated 7.6.1996, the selection of E.D. candidates who appeared in aptitude/type test etc held in 1996 ^{and} who had passed 10+2 intermediate examination, was to be made on the basis of 10% less marks acquired by the last candidate selected in the open recruitment against outside category quota. The applicant was declared selected on 22.10.1996. However, subsequently it was found that he has been wrongly selected ^{on account} on ~~the basis~~ of the mistake, that 10% less marks were calculated on the basis of the marks secured by last candidate of Scheduled caste category, whereas the last OC community selected candidate against ¹⁹⁹⁵ vacancy, had secured 67.22% marks in all components, calculated on the basis of which the applicant could be selected only if he had secured 57.22 marks. The total marks secured by the applicant were however 52.52 which were less than 57.22. The applicant was thus wrongly selected. The order does not suffer from any error of law.

This OA has no merit and is accordingly dismissed.
No order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 28.11.2002

Uv/