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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH;CUTTACK

Original Application No.37 of 1992

Date of decision:19th October,1993

Dusmanta Kumar Muduli

....

Applicant

Versus

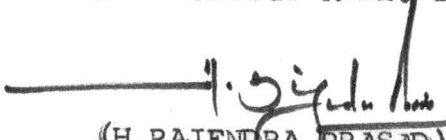
Union of India and others

....

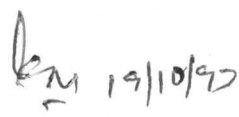
Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? NO
2. Whether it be circulated to all the Benches of NO  
the Central Admn. Tribunals or not?

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)

19 OCT 93

  
(K.P. ACHARYA)  
VICE CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 37 OF 1992

Date of decision: October 19, 1993

Dusmanta Kumar Muduli ... Applicant  
Versus  
Union of India & Others ... Respondents  
For the Applicant ... Mr. D.P. Dhalsamant, Advocate  
For the Respondents ... Mr. Aswini Kumar Misra,  
Standing Counsel (Central)

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C O R A M:

THE HONOURABLE MR. K.P. ACHARYA, VICE - CHAIRMAN

&

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

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J U D G M E N T

K.P. ACHARYA, V.C.      The Petitioner is a contestant for the post of Extra Departmental Branch Post Master, Patpur Branch Post Office within the Mayurbhanja District along with many other candidates including Shri Kedar Nath Behera, Petitioner in Original Application No. 297 of 1993 disposed of on 12th August, 1993. In the judgment passed in Original Application No. 297 of 1993, we had directed to consider the cases of candidates afresh including Shri Kedarnath Behera, Petitioner in the said Original Application.

By that time it had not come to our notice that the petitioner Shri Dusmanta Kumar Muduli (present petitioner) is also one of the contestants. We would, therefore, direct that the case of the present petitioner Dusmanta Kumar Muduli be also considered along with others and it was also submitted by Mr. Dhalsamant learned counsel appearing for the petitioner that the petitioner Shri Muduli has obtained a fresh income certificate which should be accepted by the appointing authority. We cannot direct the appointing authority to accept the same because we do not know if there are any blemishes in the said certificate. All that we would direct that the said certificate be considered by the appointing authority, along with the certificates of other candidates including Kedarnath Behera and orders be passed according to law. After adjudicating the suitability of different candidates including Shri Dusmanta Kumar Muduli and Kedarnath Behera, whoever is found to be suitable, he/she may be appointed to the post in question.

2. Thus, the application is accordingly disposed of. No costs.

3. This order is passed after hearing Mr. Dhalsamant learned counsel for the petitioner, Mr. Aswini K. Mishra, Standing Counsel (Central) and Mr. K. P. Mishra learned counsel appearing for the Opposite Party No. 3.

Member (Administrative)

19 OCT 93

Central Admn. Tribunal,  
Cuttack Bench/K. Mohanty  
19th October, 1993.

Vice-Chairman

