

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
8	12.8.94.	<p>The grievance of the petitioner is with regard to his exclusion from the panel for the post of Postman which was challenged as vitiated by malafides and irregularities. 4 posts were filled up from the qualified candidates; two from "Other community" and two from SC/ST candidates. The petitioner could not be selected in the reserved category of SC/ST candidates as his marks were less than the selected candidates, though he has secured 42 marks against the 45 marks required <sup>for "Other community" candidates</sup>. His grievance is that once he was selected and thereafter by the orders of the Postmaster General, Berhampur Region, his selection was cancelled. It was pointed out by learned counsel for the respondents who invited our attention to Annexure-R/6 that this selection ought to be made on the basis of 100 point roster and when 100 point roster was applied, the selection of the present petitioner became unsustainable. Admittedly, the petitioner could not be considered in the category of "OC" candidates for the reasons stated above. He was in the category of reserved candidates. He could not qualify there. Therefore, the exclusion of the petitioner from the selection is not malafide. That being so, we find no merit in this petition, which is liable to be dismissed, and is dismissed.</p>	<p>Counter filed. Copy served. A memo has been filed and placed in Flag-x' to list this case for tomorrow.</p> <p>For hearing.</p> <p>11/8/94</p> <p>Ben Ch.</p>

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Order NO.3 dt. 12.3.94 contd.		<p>2. This order is passed after hearing learned counsel for the applicant and Mr. Ashok Misra, learned Senior Standing Counsel (Central) for the respondents.</p> <p><i>[Signature]</i> Vice-Chairman</p> <p><i>[Signature]</i> Member (Admn.)</p>	<p>Order no.6 dt 12.8.94</p> <p>A copy of Order may be given to both the counsels.</p> <p><i>[Signature]</i> 18/8/94 S.O. (J)</p> <p>Received copy of order dt. 12/8/94 on behalf of Mr. Ashok Misra <i>[Signature]</i> Ashok Misra 19/8/94</p> <p>A copy of the order dt. 12-8-94 may be sent to the petitioner as per his address by Post -</p> <p><i>[Signature]</i> 23/8/94 S.O. (J)</p>