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O.A.NO.173 OF 1996.

ORDER DATED 23-08-2002.

None appears for the Applicant on repeated call. This matter was shown and circulated in the ready list before 19th of August, 2002. In the said premises, since this is a old year matter of 1996, we had to peruse the records of this case and hear Mr.A.K.Bose, Ld.

Senior Standing Counsel for the Union of India appearing for the Respondents.

Respondents have given a requisition to the Employment Exchange on 16-12-1994 for sponsoring names for the post of Extra Departmental Branch Post Master of Karanpokhari Branch Post Office. In response to this notification, the Employment Exchange had sponsored the name of the Applicant and the Applicant was asked by the Respondents in order dated 17.1.95 to submit an application alongwith documents on or before 06-02-1995 and the Applicant had submitted an application alongwith all documents through Regd. Post. However, the Respondents without taking further action thereon, subsequently, made public notification on 19.9.1995 calling for applications for the above post. Aggrieved by the notification calling for fresh applications, the Applicant has filed this Original Application seeking quashing of the notification dated 19.9.1995 and to finalise the selection on the basis of first notification in which the name of the Applicant was sponsored by the Employment Exchange.

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Contd....Order.....Dt. 23-8- 2002.

Respondents have filed their reply stating that in response to their notification to the Employment Exchange, four candidates have been sponsored which included the Applicant also. However, the Applicant had not furnished the documents pertaining to educational qualification, residency, income and character. Hence his application was rejected. Of the remaining three candidates, two other candidates had also not submitted all the documents/testimonials. The other only remaining candidate was selected for appointment but finally no appointment order was issued to him, as it came to the light at a later stage that a Crl. case was pending against him. Accordingly, all the four candidates sponsored by the Employment Exchange were found to be ineligible. The Respondents, thereafter, under the circumstances, had no alternative except to issue fresh notification inviting applications afresh.

From the pleadings made by the Respondents, it is clear that in view of the fact that all the four candidates sponsored by the Employment Exchange, on being found ineligible, the Respondents have rightly published fresh notification inviting applications and such procedure is in accordance with the Rules.

In the result, therefore, we find no merit in this Original Application, which is accordingly dismissed.

NO costs. *Mohanty*
23/08/2002
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

V. Srikanth
(V. SRIKANTAN)
MEMBER (ADMINISTRATIVE)