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(S)

O.A.NO. 428 OF 1996

ORDER DATED 17-02-2003.

Heard Mr.D.P.Dhalsamant, Learned Counsel, appearing for the Applicant and Mr.J.K.Nayak, Learned Additional Standing Counsel, for the Union of India, appearing for the Respondents and perused the records.

Applicant was a candidate in the Departmental Examination held on 30.7.1995 for promotion to the Postal Assistant. Having not satisfied with the marks awarded to him in the examination papers, pursuant to the Govt. of India (Department of Posts) Letter under Annexure-4 dated 23-5-1994, he deposited an amount of Rs.300/- for retotalling/revaluation of marks in all the three papers and made an application on 20.1.1996. Since no communication ^{were} ~~has~~ been received by him, he has filed this Original Application U/s.19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to treat the applicant to have ^{been} ~~successful~~ in the said examination.

A counter has been filed by the Respondents explaining that the circular/letter under Annexure-4 dated 23-5-1994 ^{to have} ~~has~~ been modified (in letter dated 27-09-1994, under Annexure-R/1 to the counter) to the extent that only in such circumstances the candidate can apply for reverification of marks and not for revaluation. During the hearing, learned Additional Standing Counsel has, however, submitted that on reverification of the marks awarded to the applicant in each paper, nothing was found wrong.

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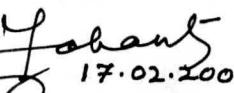
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Contd... Order dt. 17.2.2003.

In this view of the matter, nothing wrong
~~has been~~
~~was~~ found with the Respondents and, accordingly, this
Original Application is dismissed, being devoid of any
merit, by leaving the parties to bear their own costs.

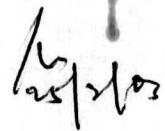

(B.N. SOM)

VICE-CHAIRMAN


17.02.2003
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

On dt. 17.2.03

Copies 7 or.
handed over to
Counsel for both
Side


M. Som
17.2.2003


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