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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH; CUTTACK.

ORIGINAL APPLICATION NO. 405 OF 1998.

Cuttack, this the 28th day of March, 2000.

BIDYADHAR PALAI.

....

Applicant.

Versus

UNION OF INDIA & OTHERS.

....

Respondents.

FOR INSTRUCTIONS

1. Whether it be referred to the reporters or not? *Yes*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? *No*

*Somnath Som*  
(SOMNATH SOM)  
VICE-CHAIRMAN

*G. Narasimham*  
(G. NARASIMHAM)  
MEMBER (JUDICIAL)

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK.

ORIGINAL APPLICATION NO. 405 OF 1998.  
Cuttack, this the 28th day of March, 2000.

CORAM:

THE HONOURABLE MR. SOMNATH SOM, VICE-CHAIRMAN

AND

THE HONOURABLE MR. G. NARASIMHAM, MEMBER (JUDICIAL) .

..

Bidyadhar Palai,  
Aged about 28 years,  
Son of Dasarathi Palai,  
At-Chapamanik, Po/Ps. Brahmagiri,  
Dist: Puri.

... Applicant.

By legal practitioner: Mr. Manoranjan Kar, Advocate.

-Versus-

1. Union of India represented through the  
Chief Postmaster General, Orissa Circle,  
Bhubaneswar, Dist. Khurda.
2. The Sr. Supdt. of Post Offices,  
Puri Division,  
Near GPO, Puri, Dist. Puri.
3. Debbatata Parida,  
S/o. Dola Parida,  
At. Chapamanik,  
Ps: Brahmagiri,  
Dist. Puri.

... Respondents.

By legal practitioner: Mr. U.B. Mohapatra, Addl. Standing Counsel  
(Central).

.....

O R D E R

MR.G.NARASIMHAM, MEMBER (JUDICIAL):

Heard Mr.U.B.Mohapatra, learned Additional Standing Counsel (Central) for the Departmental Respondents. None from the side of applicant present. Perused the records.

2. Selection of private Respondent No.3 to the post of E.D.B.P.M.Chapamanik Branch Post Office is under challenge in this application mainly on the ground that the applicant had secured higher percentage of marks in HSC examination than Res.No.3 and that Res.No.3 had filed Bogus mark-sheet of the H.S.C. Examination.

3. Res.No.3 inspite of issue of notice has not entered appearance. Departmental Respondents in their counter have stated that as per the check-sheet, while Respondent No.3 securing 59.57% of marks in HSC examination which is the highest marks among the candidates for selection, applicant has secured only 47.85% of marks in the HSC examination. Further, the applicant has not enclosed any document in support of his claim that the mark-sheet filed by Res.No.3 is not genuine.

4. Hearing the learned Addl. Standing Counsel and perusing the records, we find no merit in this application as the check sheet, Annexure-R/3, clearly reveals that Res. No.3 secured 59.57% of marks in HSC examination which is the highest marks among <sup>who have</sup> the candidates applied for the post of EDBPM. However, the Department will be free to initiate an enquiry as to the genuineness of the mark sheet filed

by Respondent No.3.

5. In the result, we find no merit in this application which is accordingly dismissed.No costs.

*Somnath Som*  
(SOMNATH SOM)  
VICE-CHAIRMAN

*28.3.2000*  
(G.NARASIMHAM)  
MEMBER(JUDICIAL)

KNM/CM.