

Order dated 13.11.2003

Heard Shri P.Mohanty, learned counsel for the applicant and Shri A.K.Bose, learned Senior Standing Counsel, assisted by S/Shri U.B.Mohapatra and S.B.Jena, learned Addl.Standing Counsel.

In this O.A. the applicant has assailed the selection of Respondent No.3 to the post of E.D.B.P.M., Bishanpur B.O.His grievance is that he being an OBC candidate should have been preferred over others and in this respect the decision taken by Respondent No.2 is in violation of the procedure prescribed for selection to the post of EDBPM by the D.G.Posts.

By filing a counter the Respondents-Department have disclosed that the post was reserved for the candidates belonging to reserved community in order of preference, i.e., O.B.C. failing which S.C. as in that Division the short-fall in representation of OBC and SC candidate were more than the percentage set for the purpose. Respondents-Department have further disclosed that ~~they~~ belonging to OBC category had received five applications/pursuant to their notification of the vacancy to the Employment Exchange as well as to the general public, and amongst those candidates in order of merit the applicant securing 36.21% marks in the H.S.C. Examination occupied the bottom position. Respondents-Department, have therefore, submitted that ~~the~~ in view of his merit position, the applicant could not be selected for the post in question. These facts are not disputed by the

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applicant.

For the reasons aforesaid, we see no merit
in this Original Application, which is rejected, No costs.

John
VICE-CHAIRMAN 13/11/2003

Y
MEMBER (JUDICIAL) 13/11/2003
Y

free copies of
final order &
dt. 13-11-03 issued
to counsel for
both sides.

Re
25/11/03

Dh
25/11/03
SCT