

Order dated 25.11.2003

None appeared on behalf of the applicant nor the applicant did appear in person when called. There has also been no request made on behalf of the applicant seeking an adjournment. This being an year-old case of 1998, we did not feel inclined to adjourn this matter any further. Therefore, we have heard Shri S. Roy, learned counsel for the Respondents and with his aid and assistance perused the materials available on record.

The grievance of the applicant (Shri Bipin Kumar Panda) is that the Respondents-Department conducted a recruitment drive vide their Employment Notice dated 3.7.1997 (Annexure-1) for recruitment of Group-D staff in the scale of Rs.750-850/- in Electrical Department (General Services) of Khurda Road. The posts to be filled were 40 in number consisting of 20 OC, 6 SC, 4 ST and 10 OBC. The recruitment was to be done by holding a written test followed by viva voce test. ~~When~~ But the process of examination conducted by the Respondents was faulty, the evaluation of answer sheets was defective and that, why, it is stated, although the applicant had a good academic career, he was not called for the interview. It is further submitted that the applicant had reasons to believe that the test has been conducted in a whimsical manner without appointing examiners of good standard.

The Respondents have rebutted these allegations of the applicant by filing a detailed counter. They have submitted that the allegations are baseless and fictitious.

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The fact of the matter is that having become unsuccessful in the written test the applicant has come up with certain wild allegation and has not been able to bring any material on record to prove any of the allegations levelled by him. The allegation that the examiners were not <sup>good</sup> enough has been made without any basis. They have also submitted that simply because the applicant was called for the written test, ~~he had~~ it was wrong on his part to consider that he had acquired a right to be called for the interview. It was because of his failure in the written test his name ~~did not~~ find place in the list of successful candidates. They have also submitted that the examination was successfully conducted and the candidates were examined most objectively by the Selection Board, as a result of which, they could recommend requisite number of candidates for filling up the post advertised for recruitment.

We have given our anxious considerations to the allegations levelled by the applicant in this O.A. We agree <sup>with</sup> ~~that~~ the submissions made by the learned counsel for the Respondents that the applicant has miserably failed to establish any of the allegations that he has made in his O.A. and therefore, the reliefs sought by him are not available. There being no merit in this O.A., the same is rejected. No costs.

*[Signature]*  
VICE-CHAIRMAN

*[Signature]*  
MEMBER (JUDICIAL)

Four copies of  
final order dt. 25.11.03  
issued to counsel  
for both sides.

*[Signature]*  
S.O.C.

De  
1.12.03