

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH

ORDER SHEET

Application No. OA 148 of 199 9

Applicant (s) Ashok Kumar Behera Respondent (s) SS Pos, Berhampur Zn

Advocate for Applicant (s) M/S. Narmadha Patra Advocate for Respondent (s) Ak Patra  
B N Shadangi

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

REGISTER

R. Panda  
Registrar  
By Registrar

ORDER NO. 1, DATED 07-04-1999.

This matter has been taken up today, on being mentioned in the morning by the learned counsel for the Applicant.

Seen the Petition. Heard Mr. A.K. Patra, learned counsel for the applicant. In view of the submission made by the learned counsel for the applicant, we feel that the Original Application can be disposed of at the stage of admission by issuing appropriate direction to the Respondents. In consideration of this, we have heard Mr. A.K. Patra learned counsel for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel (Central), on whom a copy of the petition has been served for the Respondents.

The case of the applicant is that for the post of Extra Departmental Branch Post Master, Panditgaon the Departmental Authorities issued notice dated 7.12.98 at Annexure-1 asking intending candidates to apply by 20-2-1999 for the Post of EDBPM, Panditgaon. In the

900 for Rs 50/- ptn

Per Rego p1.

Dr

7.4.99

Sol  
Patra  
7-4-99

J. Sum

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

notice at Annexure-1, it was mentioned that ~~the~~ the post is reserved for ST candidate and in case three ST candidates are not available, the vacancy, in turn, will be thrown <sup>open</sup> ~~upon~~ to the SC and <sup>then to</sup> ~~OBC~~ candidates. <sup>ASdm</sup> <sup>ASdm</sup> It is the case of the applicant that pursuant to the notice at Annexure-1, the applicant submitted the application at Annexure-2, with necessary documentation. It is stated that the applicant belongs to SC community and this fact is also mentioned in his application but <sup>the fact that</sup> ~~inspite of~~ <sup>ASdm</sup> he is a SC community, coming under the preferential category, instead of calling him to produce the documents for verification, the Departmental Authorities have called upon the Respondents 3, 4 and 5 who belongs to General Category to produce their documents for verification. In view of this, the applicant has prayed that the impugned notice at Annexure-3 calling upon Res. Nos. 3, 4 and 5 to appear before Respondent No. 2 on 8.4.1999 for verification of documents, should be quashed and ~~and~~ a direction be issued to Res. No. 2 to allow the applicant to appear before him on 8.4.99 for verification of documents. It is submitted by the learned counsel for the applicant that he does not pray for quashing the notice at Annexure-3 directing Respondents 3, 4 and 5 to appear before the Res. No. 2 for verification of documents. He only wants that his case should be considered alongwith them and his documents should be verified. In consideration of this, this Original Application is disposed of with a direction to Respondent No. 2 i.e. Assistant Supdt. of post offices, Incharge Chhatrapur, Ganjam to consider the candidature of the applicant by verifying the documents alongwith the others strictly in accordance with Rules. we make no comments about the merit of the

ASdm

NOTES OF THE REGISTRY

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Order of 7.4.99

A copy of order with copy of application may be given to applicant to serve on R-2 by hand copy to R-1, and R-3 to R-5 by regd. post / A.D. copy of order may be given to both the counsels.

Proced  
S.O. 7.4.99  
(J)

Received the copy of the order on behalf of applicant on behalf of Res. No. 2

A.K. Patra  
Adv.  
7.4.99

applicant and other candidates. The above direction to consider the case of the applicant is subject to the following three conditions; firstly the application of the applicant has been received by the authorities within the last date of receipt of application; secondly the application of the applicant is complete in all respect and thirdly the applicant is otherwise eligible to be considered for the post.

With the above directions, the OA is disposed of. No costs.

Copy of the order alongwith application be supplied to the learned counsels for both sides in course of the day.

Learned counsel for the petitioner wants that the above order should be served on Respondent No.2 by DUSTI. It is so ordered.

V. Jom  
VICE-CHAIRMAN

MEMBER (JUDICIAL)