

NOTES OF THE REGISTRY

Dt: 27.8.2000

The learned Aee
for respondent served
the copy of counter today.
The applicant counsel
prays for time to
file rejoinder. Time
granted till 18.8.2000
for the same.



REGISTRAR

18/8/2000

Rejoinder not
filed.

Part 1718 Register

Dt: 18.8.2000

The learned
applicant counsel pray
for time to file rejoinder
prayer allowed. Time
granted till 6.9.2000
for rejoinder.



REGISTRAR

18/8/2000

Rejoinder not
filed.

Part
519

Registers

ORDERS OF THE TRIBUNAL

04, 02-02-2001

Further three weeks time is allowed
as a last chance to file rejoinder.
Adjourned to 02.03.2001.

S. Jena
Vice-Chairman
2/3
Member (J).

05. 02.03.2001

It is submitted that copy of counter
has been served in August, 2000.
No further time can be allowed to
file rejoinder. Pleadings are taken to
be complete. Adjourned to 10.04.2001.
for hearing and final disposal at
the stage of admission.

S. Jena
Vice-Chairman
2/3.

Member (J).

06. ORDER DT. 10.4.2001.

This OA stands posted to this day for
hearing and final disposal at the stage of
admission. Shri S.B.Jena, learned ASC for the
Departmental Respondents is present. None from
the side of the applicant is present. There is
no prayer for adjournment. Hence we are not
inclined to adjourn the matter suo motu.

Heard Shri Jena, learned ASC and also
perused the records.

Applicant challenges the selection and
appointment of private Respondent No. 4.

OA 261/2000

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dt. 6.9.2000

Both the applicant and his counsel are absent on cell. No steps taken for filing rejoinder. Put up to Bench for further orders.

REGISTRAR

Rejoinder not filed

for and

10.11.2000

Re

Rejoinder not filed

10.11.2000

Bench

Rejoinder not filed

11.12.00

Bench

Rejoinder not filed

11.12.01

Bench

for Admonition

12.12.01

Bench

True copies of order
final order dt. 10.4.01
issued to counsels
for both sides
by
S.C.

12.12.01

Shri Manas Datta to the post of EDBPM, Bandapipili Branch post Office in the district of Phulbani. In response to employment notification issued in September, 1999, applications were received from the applicant, Respondent No. 4 and many others. Grievance of applicant is that though she fulfilled all the required qualifications for the post, Respondent No. 2 illegally with a mala fide intention appointed Respondent No. 4. She being a SC candidate has a better claim for the post. Departmental Respondents in their counter opposed her prayer stating that Respondent No. 4 secured higher percentage of mark in HSC than other candidates including applicant. Moreover, the post is not reserved for SC candidate. Even the applicant in her application did not enclose any Income certificate as required under the rules.

Private Respondents though duly noticed had neither entered appearance nor filed counter.

No rejoinder filed.

Annexure-R/1 is the xerox copy of application sent by applicant to the Department. This application reveals that required Income certificate has not been enclosed. Further while she secured 42% marks in HSC examination Respondent No. 4 has secured 62.46% in HSC. Law is well settled that a candidate securing higher percentage of mark in HSC has a better claim for the post. We therefore, do not see any infirmity in the selection and appointment of Respondent No. 4 to the post.

In the result, the O.A. is without any merit and the same is dismissed. No costs.

Commissioner
(SCMNATH S. S.)
Vice President

(G. NARASIMHAM)
MEMBER (JUDICIAL)