

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

dt. 25.X.2000

Both the applicant and his counsel are absent on each. No steps taken for filing rejoinder.

Put up to Bench for further orders.

REGISTRAR

Rejoinder not filed.
Bench
21/10/2000

Rejoinder not filed.

Bench
24/10/2000

Rejoinder not filed.

Bench
24/10/2000

Rejoinder not filed.

Bench
24/10/2000Rejoinder not filed.
Bench
24/10/2000Bench
24/10/2000Order dated 30.8.2001

Learned counsel for the petitioner and his Associates are not present when called nor has there been any request made on their behalf seeking an adjournment. As in this case pleadings have been completed long ago, it is not possible to drag on the matter indefinitely. We have, therefore, heard Shri S. Behera, learned Addl. Standing Counsel appearing for the departmental respondents and also perused the records.

For the purpose of considering this petition it is not necessary go into too many facts of this case. Being unsuccessful in the selection to the post of EDBPM, Raniakata B.O. the applicant has come up in this petition praying for quashing the selection and appointment of Res.4 to the post in question and for direction to Superintendent of Post Offices, Dhenkanal (Res.3) to give her appointment.

From the counter filed by the departmental respondents it is seen that the stand taken by the departmental respondents is that the applicant did not enclose/along with her application, applying for the post. Respondents have enclosed a xerox copy of the application submitted by the petitioner at the bottom of which she had mentioned the documents which have been enclosed her by her. From this we find that the applicant had not actually enclosed her income certificate. The copy of counter has been served on the other side and the applicant has not filed any rejoinder denying this. In view of this we held that the application filed by the petitioner for the post of EDBPM, Raniakata was not accompanied

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with income certificate and in view of this departmental respondents were justified in rejecting the candidature of the applicant. In this view of the matter the prayer of the applicant for direction to respondents to appoint her to that post of EDBPM is held to be without any merit and the same is rejected.

As regards the prayer for quashing the selection of Res.4 to the post in question it is seen that Res. 4 even though was issued with notice, but ~~he~~ did not appear nor filed any counter. The departmental respondents have enclosed check sheet to their counter. From this we find that amongst all the eligible candidates Res.4 has secured the highest percentage of marks, i.e. 66% in the H.S.C. ^{That} In view of this we find ^{no} illegality has been committed ^{1. J. V. M.} by the departmental respondents in selecting Res. No. 4 to the post of EDBPM, Raniakota B.O. This prayer of the applicant is ^{also} held to be without any merit and the same is rejected. ^{1. J. V. M.}

In the result we hold that the applicant has not been able to make out a case for any of the reliefs prayed. The O.A. being ~~now~~ devoid of merit is rejected, but without any order as to costs.

MEMBER (JUDICIAL)

Yommu M. J.
VICE-CHAIRMAN
30.2.2001

Four copies of final
order dt. 30.2.2001
issued to counsel
for both sides.

Ds
31.2.01

A. J. P.
S. O.O.