

ORDER DATED 15-03-2004.

This Original Application, under section 19 of the Administrative Tribunals Act, 1985 has been filed by Shri Prabhudas Parida, being aggrieved of his non-selection to the Post of EDDA, Rampur Branch Post Office, under Bhadrak Head Post Office.

2. We have heard Mr. B. B. Patnaik, learned Counsel for the Applicant and Mr. Anup K. Bose, Learned Senior Standing Counsel appearing for the Respondents and perused the materials placed on record.

3. The short point in this Original Application is whether the Applicant, who admittedly was under-aged for the post, (his date of birth being 15.02.1982) should have been considered for selection as EDDA being an OBC candidate by the Respondents and after considering although he had higher merit was not selected on the ground that he was underaged. He has alleged that the selected candidate was the ward of regular EDDA of Rampur Branch post Office and such a selection was done with an oblique motive and was an out come of favouritism.

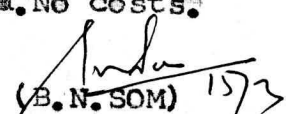
4. Respondents have rebutted the allegations levelled by the applicant. They have submitted that the post was actually reserved for ST community candidate but as none of the ST candidates could fulfil the residency condition, i.e. was not able to give undertaking that one would take up residence in any of the villages of the delivery jurisdiction of the post office in the event of

his/her selection, could not be selected for the post and, therefore, the selection was confined to the OBC candidates; where the Applicant was also one of them.

5. In reply to the allegations about considering him, although he was underaged, it was stated that it was done because of certain omission in supply of certain information in the application filed by the Applicant. In the notification under Annexure-2, it was clearly stipulated that the candidate must be within 18 to 65 years of age on the last date of application. But the Applicant has intentionally omitted to write his date of birth at serial No. 2 of the prescribed application form (Annexure- R/3). It is because of this, at the initial scrutiny, the Respondents could not detect the mistake and his case was considered, as if he was within the age limit. However, at the final scrutiny of the applications, his ineligibility was noticed and his candidature was rejected.

6. Having regard to the above facts and circumstances of the case and more importantly the fact that the applicant is to be blamed for not supplying the full particulars of about his candidature, we see no merit in this OA; which is accordingly dismissed. No costs.

  
(MANORANJAN MOHANTY)  
MEMBER (JUDICIAL)

  
(B.N. SOM) 15/3  
VICE-CHAIRMAN