

Order dated 04.02.2004.

At return by the Counsel for the
applicant any or agreed by the
otherwise, adjourned to 10.02.04.

W.L. Chakrabarty (A)
B.
W.L. Chakrabarty (B)

For hearing
 date 10.2.04

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Order dated 10.2.2004

Heard Shri D.R.Patnaik, learned
 counsel for the applicant and Shri S.Behera,
 Addl. Standing Counsel appearing for the
 Respondents.

The applicant in this O.A. has prayed
 for quashing the notification dated 24.10.2000
 issued by the Respondents-Department for
 filling up of the post of EDBPM, Kendudiha
 B.O. earmarking the said post for OBC candidate

It has been submitted by the
 Respondents that in response to the aforesaid
 notification, they had received 10 applications
 out of which only two candidates applied within
 the last date fixed for receipt of applications
 with requisite documents. They have further
 submitted that as the number of candidates
 in the zone of consideration was less than
 three, they were bound by the instructions of
 D.G.Posts to readvertise the vacancy. The
 grievance of the applicant is that the vacancy
 should not have been readvertised.

We have carefully considered the

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grievances of the applicant and found no substance in it, because, in terms of the policy decision of the Respondents-Department, no selection to the post of an E.D.Agent for the reserved category candidates should take place unless there are three effective applications for selection. In the instant case, the Respondents were left with two applications within the zone of consideration for filling up of the post of EDBPM as per policy decision, they were duty bound to readvertise the post and on this score they cannot be faulted.

For the reasons discussed above, while we do not feel inclined to interfere in the matter, we direct the Respondents-Department to complete the selection process by readvertising the post in question and observing all formalities within a period of three months from the date of receipt of this order and in the process, they shall take into consideration the candidature of the two applicants who were in the zone of consideration in pursuance of the vacancy circular dated 24.10.2002.

The O.A. is disposed of accordingly. No costs.


VICE-CHAIRMAN (J)


VICE-CHAIRMAN (A)