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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO.582 OF 2000
Cuttack, this the 11th day of Feb. 2003

Brahmananda Rout

.....

Applicant

Vrs.

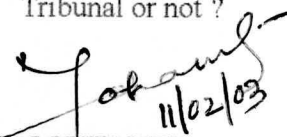
Union of India & Others

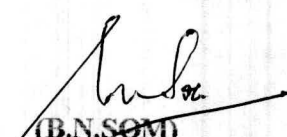
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Respondents.

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters or not ? na
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? yes


(M.R. MOHANTY)
MEMBER (JUDICIAL)


(B.N. SOM)
VICE-CHAIRMAN

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ORIGINAL APPLICATION NO.582 OF 2000

Cuttack, this the 11th day of Feb., 2003

CORAM:

HON'BLE SHRI B.N. SOM, VICE-CHAIRMAN
&
HON'BLE SHRI M.R. MOHANTY, MEMBER (JUDICIAL)

Shri Brahmananda Rout, aged about 42 years, Son of Magu Rout,
At: Alasudha, Po-Piteipur, P.S./Dist-Jagatsinghpur.

By the Advocate(s) Applicant
Mr. S.K. Mandal

Vrs.

1. Union of India, represented through the Secretary, Department of Communication, Secretariat, New Delhi -1.
2. Office of the Superintendent of Post Office, South Division, Cuttack.
3. Sub-Divisional Inspector (Postal), Central Sub-Division, Cuttack-3
4. Post Master General, At: P.M.G. Square, Bhubaneswar.
5. Asst. Superintendent of Post Offices, (1/c) Jagatsinghpur-754 103.
6. Sri Bibudha Kumar Pradhan, S/o. Not known of Vill./P.O. Mandasahi, P.S./Dist. Jagatsinghpur.

..... Respondents

By the Advocate(s) - Mr. A.K. Bose.
Sr. Govt. Standing Counsel

ORDER

SHRI B.N. SOM, VICE-CHAIRMAN:

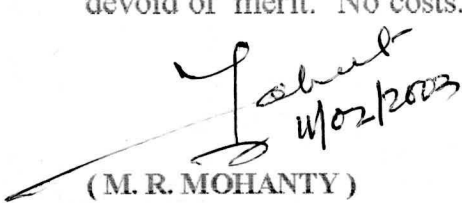
This Original Application has been filed by Shri Brahmananda Rout, under Section 19 of Administrative Tribunal Act, 1965 seeking direction from this Tribunal to the Respondent (2,3,4, & 5) to ^{be} absorbed in the post of ED Packer, Kaduapara, Sub-Office. His name was sponsored by the Employment Exchange Jagatsinghpur for the said post along with names of 39 more candidates. In addition 77 more candidates also responded to the public notification made by the respondent No.5. The post was year-marked for ST/OBC category of candidate and the educational qualification was prescribed as 8th

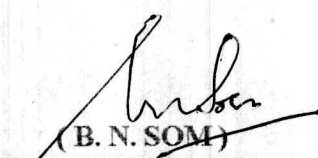
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standard. The applicant has alleged that although he fulfills the eligible criterion for the post but he was not selected by the Respondent No.5. Being aggrieved he has approached the Tribunal for redressal of his grievance.

2. The Respondents in their counter has stated that they have carried out selection for the post strictly according to the procedure prescribed for this purpose. They have stated that the post was filled up by selecting a candidate from the OBC community. They have further stated that the applicant could not be selected for two reasons, one that he belongs to the other community and that he secured 215 marks in his 8th Class Examination whereas the selected candidate has secured 282 marks.

3. We have also heard at length. Shri S.K. Mandal, Ld. Counsel for the applicant and Shri A.K. Bose, Sr. Standing Counsel for the Respondents. Although Mr. Mandal vehemently tried to espouse the cause of the applicant, in the face of the facts and circumstances of this case that the post was reserved for an OBC/ST candidate and that the applicant is an OC candidate the application is rejected being devoid of merit. No costs.


(M. R. MOHANTY)
MEMBER (JUDICIAL)


(B. N. SOM)
VICE-CHAIRMAN

CAT/CTC
K.B