

CA. 98/2000

For Admission

Order dated 19.6.2001DS
18/6/01

B. K. Nayak

Heard Shri R.K.Sahoo, learned counsel for the petitioner, Shri B.K.Nayak, learned Addl. Standing Counsel for the departmental respondents and Miss.S.Rath, learned counsel appearing for the private respondent No.3 (Sri Dhruba Charan Meher. We have also gone through the pleadings and the relevant documents annexed to the O.A.

For the purpose of considering this petition it is not necessary to go into too many facts of this case. It is only necessary to note that being aggrieved by his non-selection for the post of EDBPM, Raurahaldi B.O. the applicant has approached the Tribunal with the prayer for quashing the order of appointment dated 27.1.2000 issued in favour of Respondent No.3 and also for direction to the departmental authorities to consider the case of the applicant for such appointment from the date Respondent No.3 was appointed.

Admittedly the case of the applicant, Respondent No.3 and someothers were considered for the post of EDBPM, Raurahaldi. It is also the admitted position that the applicant has got more marks than the selected candidate(Res.3) in the H.S.C. Examination. While the applicant has secured 354 marks Res.3 has secured 319 marks. Respondents have pointed out that the candidature of the applicant was rejected because he had not submitted income certificate in his own name, but in the name of his father. In the notice at Annexure-R/4 inviting applications it has been clearly mentioned that income certificate in the name of the candidate signed by the Tahasildar has to be submitted in original. Averments of the departmental respondents that the applicant had submitted income certificate in the name of his father has not been denied by the applicant by filing any rejoinder. This income certificate

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is also there at Annexure-5 of the O.A. and ~~xx~~ from this it is clear that income certificate submitted by the applicant was in the name of his father. In view of this the departmental authorities have rightly rejected his candidature, because an essential document required to be submitted was not submitted by the applicant. In this view of the matter we do not see any merit in this application which is accordingly rejected, but without any order as to costs.

S. N. V. S.
VICE-CHAIRMAN

19.6.2001
MEMBER (JUDICIAL)

Free copies of
final order
dt. 19.6.2001
issued to counsels
for both sides.

Amis
S.O. (P)

25/6/01