

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>On 20.10.04 Lopamudra prepared for counsel by Sonu Saha L 12/2 W. P. M. S.</p>	<p><u>ORDER DATED 01-10-2004.</u></p> <p>Selection and appointment of Respondent No.5 to the post of EDBPM/GDSBPM of Kendupati Branch Post Office in account with Dhuajhar Sub Post Office in the District of Nuapada is the subject matter of challenge in this Original Application under section 19 of the Administrative Tribunals Act, 1985 filed by the Applicant, who was also a candidate for the post in question. It is seen from Annexure-A/2 that the post in question was reserved for OBC candidate. As is evident from Annexure-A/1 that the Applicant is also an OBC candidate. Applicant has raised a question, in the present O.A. that the Respondent No.5 (Sushama Parua) not being an OBC candidate, her case ought not to have been considered and she ought not to have been selected against the reserved post in question.</p> <p>By filing a counter, the Respondents have disclosed that Respondent No.5 (Sushama Parua) is an OBC candidate and the said statement of Respondents have also received support from the caste certificate annexed to the counter as Annexure-R/3. It appears from the comparative chart filed under Annexure-R/2 to the counter that there were several OBC/SEBC candidates and the Respondent No.5 having secured 361 marks in HSC examination was found to be best among them and as such, she was selected and ultimately appointed.</p>

NOTES OF THE REGISTRY

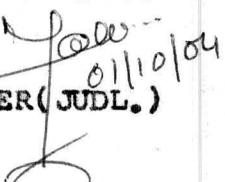
ORDERS OF THE TRIBUNAL

The Applicant has only secured 295 marks in the HSC examination and therefore, he was not selected.

Since it is seen that the selected candidate is/was an OBC candidate and she secured the highest marks among the OBC candidates (including the Applicant) and since rule provides mark obtained in the HSC examination is the criteria for selection to the post in question, we find no merit in this case; which is accordingly dismissed.

No costs.


VICE-CHAIRMAN


JULY 01/10/04
MEMBER (JUDL.)