

O.A. NO.344 OF 2001

ORDER DATED 06-09- 2002.

The grievance of the Applicant, in this Original Application, U/s.19 of the Administrative Tribunals Act, 1985 is for a direction to the Respondents to make fresh interview and allow this Applicant to participate in that interview. The grounds set forth by the Applicant in this Original Application are that though the applicant was called upon to appear the interview, pursuant to his application, for the post of Fireman at the Proof Experimental Establishment, Chandipur in the District of Balasore, under Annexure-1 dated 6-6-2001, he was not allowed to participate in the interview; because of wrong entry of the name of the School in his Board Certificate issued by the Board of Secondary Education, Orissa.

The Respondents have filed their counter interalia denying the averments made by the Applicant in his Original Application. With regard to not allowing the applicant to appear in the interview for the post in question, due to wrong entry of the School name in the Certificate, which was subsequently corrected; it has been averred by the Respondents that this is a concocted story made out by the Applicant in this Original Application but the fact remains that the Applicant did not appear on the date and time scheduled for conducting the interview.

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To substantiate the above stand, the Respondents have filed the checklist prepared by the Respondents under Annexure-R/1.

Having heard learned counsel for the Applicant and Mr. A.K.Bose, learned Senior Standing Counsel for the Union of India appearing for the Respondents, we have perused the checklist produced by the Respondents under Annexure-R/1.

On a perusal of Annexure-R/1, it is evident that the name of the Applicant appeared at Sl. No.155 of the list under Annexure-R/1 and in the rightside, against the name of the applicant, it has been written 'ABSENT'. Apart from the Applicant, against the name of so many candidates, the same remark 'absent' had also been written. Neither in the Original Application nor during the hearing, learned counsel for the Applicant had produced any proof of document showing that the applicant was present and produced all the documents before the Selection Board/Committee ^{and that} but he was not allowed to participate in view of the ^{of} facts stated in the Original Application. In absence of such prove, it can not be said that the applicant was present but he was not allowed to participate in the interview.

In this view of the matter, we find no merit in this Original Application which is accordingly dismissed.

No costs.

(B. N. SOM) 06/09
VICE-CHAIRMAN

06.09.2002
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)