

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DATED 25.5.2004.

on 25.5.04

Copy in 2 order
prepared by counsel
on both sides.

Heard Mr.V.Narasimha, Learned Counsel appearing for the Applicant and Mr.S. B. Jena, Learned Additional Standing Counsel appearing for the Respondents and perused the materials placed on record.

By filing this Original Application, the applicant has ventilated his grievances to the effect that the Respondent No.2 had given appointment to Respondent No.4 in violation of the Recruitment Rules governing the selection for the post in question. In his application he has averred that the Respondent No.4 who has been selected as EDDA was not a resident of Kateringia BO whereas, residency qualification^{is} one of the important eligibility conditions for appointment to the post of EDDA. In support of his contention, learned counsel for the Applicant has drawn our notice to the fact that the name of Respondent No.4 is reflected in the voter list of village Sadingia and from that he wanted to draw the conclusion that the Res.No.4 has procured the job by misleading the fact which should be construed as misconduct by the Res.No.2 and should have dispensed with his service.

Respondents have denied any irregularity in the selection to the post in question by filing a detailed counter. Alongwith the counter, they have also submitted

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the original application form in which Respondent No.4 had submitted his candidature (Annexure-R/6) wherein he has disclosed his permanent home address as : At/Po:Sadingia, Via.Phiringia,Dist.Kandhamal and also annexure-7 of the letter submitted by the owner of the house of Mr.Balaram Patra of Village Kateringia i.e. the post village.

Having regard to the facts of this case, it appears that the allegation brought by the applicant that the Respondent No.4 had secured appointment by falsely declaring himself to be the resident of Kateringia does appear to hold any water. In the aforesaid facts and circumstances of the case, we see no merit in this O.A. which is accordingly dismissed. No costs.

25.08.2004
MEMBER (JUDICIAL)

25.08.2004
VICE-CHAIRMAN