

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH
CUTTACK

O.A. 631/2001

Date of order: 13.04.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
Hon'ble Mr. S.K. Naik, Administrative Member.

M. Barik

- v e r s u s -

Union of India and Ors.

For the applicant : None.

For the respondents : Mr. B. Dash, counsel.

O R D E R

Per Justice B. Panigrahi, VC

None appears on behalf of the applicant. Mr. Dash, Id. counsel appearing for the respondents is, however, present. Pursuant to an advertisement dated 21.11.2000 for the post of EDBPM, Panpana the applicant as well as Pvt. respondent No.4 submitted their applications along with others. The applicant belongs to OBC candidate whereas the Pvt. respondent No.4 belongs to SC community. From the check list prepared by the respondents, it is found that the Pvt. respondent No.4 secured 60.26% of marks in the High School Certificate Examination, being the highest marks among all the candidates, whereas the applicant secured 57.71% marks in the said examination. Since the Pvt. respondent No. 4 has secured the higher marks than that of the applicant, therefore, he was rightly given the offer of appointment. Being aggrieved by such selection the applicant has filed this case.

2. We do not find any logic in what manner the applicant has suffered against the action of the respondents whereby the Pvt. respondent No.4 was selected. On a comparative assessment of merit, we notice that

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the applicant having secured lesser marks than that of the Pvt. respondent No.4 we do not find any reason to interfere with the selection made by the respondent No.3.

3. The application is, therefore, dismissed. No costs.

Member

Member (A)

Vice-Chairman

Vice-Chairman.