

6
CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH
CUTTACK

O.A. 542/2002

Date of order: 24.05.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
Hon'ble Mr. H.P. Das, Administrative Member.

Chudamani

-versus-

Union of India and Ors.

For the applicants : None.

For the respondents : Mr. J.K. Nayak, counsel.

O R D E R

Per Justice B. Panigrahi, VC

When the matter is taken up, none is present for the applicant. However, Mr. J.K. Nayak, ld. counsel is present for the official respondents.

2. A challenge has been made against selection of Gramin Dak Sevak, Balanda for which the applicant, who is a physically handicapped person, submitted his application. It is the case of the applicant that being a Physically handicapped candidate his candidature was not considered by the respondent authorities, rather the official respondents, especially, respondent No.3 has illegally selected the Pvt. respondent No.4 violating all norms of reservation policy.

3. In course of hearing Mr. Nayak, ld. counsel appearing for the respondents has strongly upheld the selection of Pvt. respondent No.4 to the post of GDSBPM Balanda since the vacancy was not reserved for PH person. On query, as to how many handicapped persons were

recruited/selected within the Postal district, the ld. counsel failed to satisfy us. We also find from the reply that the respondents are silent in this regard. Accordingly, let an affidavit be filed as regards the total number of vacancies reserved for PH and how many vacancies have since been filled up against PH quota by the next date. The matter will appear on 22.6.2004 for hearing.

Mr. B. D.

Member (A)

B. D.

Vice-Chairman.

*my order
L. 24/5/04
referred to the
counsel for both
sides.*

Order dated : 16.2.05

Heard M.A. 1066/04 for restoration of the matter to file and M.A. 40/05 for condonation of delay.

Heard Mr. G.K.Nanda, Ld. Counsel for the petitioner, who submits that he has been instructed by the client to appear in the matter as the brief has been transferred from his earlier counsel Shri S.B.Rath to him. The present Ld. Counsel for the applicant filed Vakalatnama on 24.12.04, whereupon the M.A. 1066/04 was filed praying for recalling the order dated 19.7.04.

In that application it has been submitted that the earlier lawyer of the applicant did not inform him about his nonappearance when the matter was listed and thus the matter has been disposed of on 19.7.04 and he was informed ^{of this} by him only in the 2nd week of November, 2004, and, therefore, he prays for condonation of delay in approaching the Tribunal with the present application.

Having heard the Ld. Counsel for the applicant and also after perusing the M.As. placed before us, we

*S.O.
15/04
hearing.
Bench
16/04
hearing.
Bench
17/04*