

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Dr. 21.12.9.03  
 Copies of order  
 prepared for counsel  
 for 1024  
 22/9

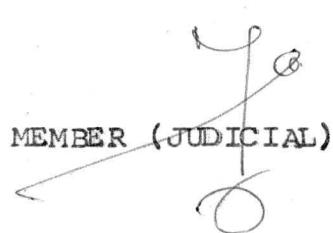
DR  
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 So.

Order dated 12.09.2003

In this Original application, the applicant has challenged the order dated 18.11.2002 terminating his service as EDDA-cum-MC Mahajanpur B.O., and has prayed for quashing of the same and for reinstatement in service with consequential benefits. Respondents have filed the counter stating inter-alia that the applicant had secured 48.66% marks whereas another candidate, namely, Shri N. Singh had secured 48.85% marks in the H.S.C. Examination. They have further stated that after receipt of the notice from the Tribunal in O.A 751/2002, the Respondents reviewed the selection, and the appointment of the applicant has been terminated as his selection was not in order, and that he has already been relieved from the post of EDDA-cum-MC, Mahajanpur B.O., w.e.f. 18.11.2002.

2. This O.A was heard analogously with O.A. 751/2002 filed by Shri N. Singh, challenging the selection and appointment of Sh. P.K. Sahoo (the applicant in O.A. 1024/2002). By the order delivered in open Court today in O.A. 751/2002, we have upheld the action of the Respondents cancelling the selection and appointment of Respondent No.4 (applicant in O.A. 1024/2002) and have observed that the Respondent-Department is at liberty to make a selection of the most suitable candidate for the post of EDDA-cum-MC, Mahajanpur B.O., from out the 26 candidates who had responded to the vacancy circular for the post. Thus, in view of our order dated 12.09.2003, passed in O.A. 751/2002, this O.A. is held to be without any merit and is dismissed accordingly. No costs.

  
 VICE-CHAIRMAN

  
 MEMBER (JUDICIAL)