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O.A. No. 173 of 2010

Order dated: 08.04.2010

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. N.R.Routray, Ld. Counsel appearing for the applicants and Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel appearing for the Respondents on notice.

2. The applicant challenges the appointment of Respondent No.4 for the lone post of Gramin Dak Sevak Branch Postmaster, Kirmira. He submits that the post is reserved for SC community. He contends that though both the applicant as well as Respondent No.4 belong to SC community, in terms of para-5 of the notification dated 25.08.2009 (Annexure-A/1), the criteria for selection is that "the selection will be made on the basis of marks secured by the candidate in the Matriculation or equivalent examination. Higher educational qualification will not be considered" and his contention is that he has secured more marks in the matriculation examination than Respondent No.4. He also says that he has submitted some representation to Respondent No.3. However, since the copy of the representation available at Annexure-A/4 does not

appear to be an authentic application/representation, Ld. Counsel for the applicant submits that he will file a detailed representation to Respondent No.3 within a period of 15 days.

3. If such a representation is made by the applicant, Respondent No.3 is directed to consider the same and pass a reasoned order under intimation to the applicant within a period of 45 days from the date of receipt of the representation. Ordered accordingly.

4. With the above observation and direction, as agreed to by the Ld. Counsel for both the sides, without going into the merit of the case, the O.A. is disposed of at the stage of admission itself.

5. Send copy of this order, along with copy of the O.A., to Respondent No.3 for compliance.


MEMBER (A)