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**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

ORDERS OF THE TRIBUNAL

15.04.2009


OA No. 482/2008

Mr. P.N. Jatti, Counsel for applicant.
Mr. B.N. Sandu, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the OA is disposed of.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 15th day of April, 2009

ORIGINAL APPLICATION NO. 482/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Jagdish Prasad Verma son of Ram Dev Verma by caste Verma, aged about 28 years, resident of Govindputa via Palsana. Presently working as GDS as BPM Khanpur, Singhana, District Jaipur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur.
3. The Postmaster General, Western Region, Jodhpur.
4. The Superintendent Post Officer, Jhunjhunu.

.....RESPONDENTS

(By Advocate : Mr. B.N. Sandu)

ORDER (ORAL)

In this case, the grievance of the applicant is that for the purpose of selection to the post of PA, three years service as on 01.07.2005 from amongst GDS has been made condition precedent and he was not permitted to appear in the selection to the post of PA vide order dated 29.07.2002 (Annexure A/1) on the ground that he is over-age and for that purpose eligibility was counted with effect from 31.10.2008.

2. When the matter was listed on 02.12.2008, this Tribunal permitted the applicant to appear provisionally in the said examination. It was further directed that the result of the applicant shall be kept in sealed cover.
3. The respondents have filed reply thereby opposing the claim of the applicant.

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4. When the matter was listed on 17.03.2009, this Tribunal has directed the respondents to produce the result of the applicant, which has been ordered to be kept in sealed cover pursuant to the order dated 02.12.2008.

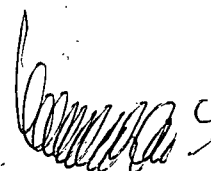
5. The respondents have produced the relevant record. From the perusal of the relevant record, it is evident that the applicant has secured only 35.75 marks. We have also perused the marks obtained by the direct recruit for the post of P.A. for which selection was conducted separately. It has been noticed that the last candidate who has been selected against the post of PA against direct quota has obtained 58.57% marks against SC category against which the applicant belong. Similarly, the ~~person~~ ^{selected} last candidate against OBC category has secured 55.35% marks. Thus the applicant has not secured requisite marks for the purpose of selection as per policy in force.

6. Learned counsel for the applicant submits that he wants to withdraw this OA at this stage and if need be he will challenge the selection process by filing substantive OA.

7. In view of what has been stated above, the present OA is disposed of with no order as to costs. Liberty is reserved to the applicant to file substantive OA thereby challenging the selection process. It is made clear that we have not gone into merit of the case regarding eligibility of the applicant on account of age bar.

8. With these observations, the OA is disposed of.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ