

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PATNA BENCH, PATNA  
OA/050/00152/15**

Date of Order: 22.01.2019

**C O R A M**

**HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER  
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

Tinku Kumar Rajak, Son of Sita Ram Rajak, resident of Mohalla- Krishnapatti, adjacent to Congress Office, Court Road, Jamui, PS and Dist. Jamui.

..... Applicant.

- By Advocate: - Mr. M.P. Dixit

-Versus-

1. The Union of India through Superintendent of Post Offices, Munger Division, Munger.
2. Post Master General, Bihar, Patna.
3. Superintendent of Post Offices, Munger Division, Munger.
4. Assistant Superintendent of Post, Jamui Sub Division, Jamui.
5. Avinash Kumar, son of Sri Shailendra Ravidas, resident of Village- Milki Mahuvati, PO- Murgawn, PS- Islampur, Dist. Nalanda.

..... Respondents.

- By Advocate(s): - Mr. H.P. Singh

**O R D E R  
[ORAL]**

**Per Dinesh Sharma, A.M.:-** The case of the applicant is that though he had the highest marks amongst those who appeared for the counselling held for the post of Branch Post Master for the Village – Lohra, Mallehpur, Jamui on 05.07.2014 he was not selected and someone else was selected. Though he has been seeking details of persons who applied for this along with details of their envelopes etc., the details have not been provided to him .

2. The respondents in their reply have denied the claim of the applicant to this post stating that the person who was selected (Avinash Kumar-Respondent No. 6) got the highest percentage of marks (68.71) while the applicant had got only 61.4 marks. They have also produced a comparative chart of candidates, applied in which it is shown that Shri Avinash Kumar was not absent.

3. After going through the pleadings and hearing the arguments of the parties, it is clear that the only ground on which the applicant has challenged the selection of Avinash Kumar is on account of his allegedly not appearing for counselling. There is no evidence given by him applicant to prove this claim. Just because the Department has not given him copies of the envelopes and other details, it does not substantiate the allegation regarding the Department having done the selection without the selectee appearing for counselling. As it is clear from the comparative chart of candidates and the attendance sheet of candidates produced by the respondents, Shri Avinash Kuamr has not been marked as absent. In fact, his signature is there on the attendance sheet. Hence, the claim of the applicant has no merit and therefore the OA is dismissed. No order as to costs

**[ Dinesh Sharma ]**  
**Administrative Member**  
**Srk.**

**[Jayesh V. Bhairavia]**  
**Judicial Member**