

Central Administrative Tribunal, Principal Bench

Original Application No.2388 of 2002

New Delhi, this the 13th day of September, 2002

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member(A)

Shri Jitendra Jha
S/o Shri Pushpendra Jha
R/o Behind Central Bank
Mangalwara, Hoshangabad(M.P.)

.... Applicant

(By Advocate: Shri P. Pramachala)

Versus

1. The Secretary
Ministry of Human
Resource Development,
Dept. of Higher & Secondary
Education,
Government of India,
New Delhi.

2. The Director
Navodaya Vidyalaya Samiti,
Indira Gandhi Stadium
Indraprastha Estate,
New Delhi-2

.... Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

In pursuance of the order of the Delhi High Court
in Civil Writ No.7597/2001, the applicant was given the
liberty to approach this Tribunal.

2. The applicant was a candidate for the post of
Physical Education Teacher. He appeared in the written
test and was called for the interview but his name did not
find a mention in the list of successful candidates. His
grievance is that he has fared well in the interview, he
is more qualified and in any case in the advertisement,
there is no mention as to what is the weightage given to
the written test or the interview.

(3)

3. After careful consideration of the arguments advanced at the Bar, we find that the application is without merit. Indeed in the absence of any malafides or other cogent reasons, this Tribunal ordinarily will not scrutinise the assertion that the applicant was more qualified or fared better in the interview when qualified persons in this regard have been so appointed or set aside the selection. There is no such reason that is forthcoming.

4. As regards the contention that in the advertisement for the post, there was no mention of the weightage to be given to the written test and the interview, at the outset, we deem it necessary to mention that it is not the allegation that the weightage given is different to different candidates. When this is applicable to all in a similar manner, indeed the applicant cannot complain of any discrimination.

5. The net result, therefore, would be that the application is devoid of merit. It must fail and is dismissed.

V.K. Majotra

(V.K. Majotra)
Member(A)

V.S. Aggarwal

(V.S. Aggarwal)
Chairman

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