



Central Administrative Tribunal Principal Bench, New Delhi

**O.A. No.375/2020
M.A. No.2410/2020
with
O.A. No.376/2020
M.A. No.2264/2020**

**O.A. No.387/2020
M.A. No.2263/2020**

**O.A. No.431/2020
M.A. No.2267/2020**

**O.A. No.435/2020
M.A. No.2411/2020**

**O.A. No.438/2020
M.A. No.2266/2020**

**O.A. No.440/2020
M.A. No.2265/2020**

**O.A. No.633/2020
M.A. No.2262/2020**

Today, this the 24th day of November, 2020

Through video conferencing

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

O.A. No.375/2020

Pawan Kumar Parihar, age 31
S/o Sh. Narsingh Ram Parihar
R/o Room No.43, UG Hostel
JNVU New Campus
Jodhpur, Rajasthan 3420017
Post Chemical Assistant (Group B)

...Applicant
(Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)



O.A. No.376/2020

Lalit Kumar, age 34 years
 S/o Sh. Surender Kumar
 R/o Arjun Niwas, Kamla Nagar
 Konsiwas Road, Rewari
 Haryana-123401
 Post – Chemical Assistant (Group ‘B’)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

O.A. No.387/2020

Subhasish Chaudhary
 Age 32 years, S/o Sh. Soubhagya Rajan Choudhary
 R/o Singhamapur, Bahugrama
 Cuttack, Odisha – 754200
 Post-Chemical Assistant, Group ‘B’

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

O.A. No.431/2020

Nisha Chaudhary, Age 33 years
 D/o Sh. Chandra Bhan
 C/o Sh. Dharmpal Punia
 Plot No.34, Prahlad Marg, Shiv Colony
 Moti Nagar (West), Queens Road
 Jaipur, Rajasthan-302021
 Post-Chemical Assistant(Group-B)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

O.A. No.435/2020

Jaiswar Ramavtar Prahlad, age 33 years
 S/o Sh. Prahlad R Jaiswar
 MMRDA Colony, Building No.17
 A Room No. 301, Natwar Parikh Compound
 G M Link Road, Govandi West Mumbai
 Suburban Maharashtra-400043
 Post Chemical Assistant (Group B)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)



O.A. No.438/2020

Sukhendu Bera, Age 29
 S/o Sh. Rashbehari Bera
 R/o Pashchimbar, Bhagwanpur
 Purba Medenipur
 West Bengal-721144
 Post – Chemical Assistant (Group – B)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

O.A. No.440/2020

Ashish Thakur, Age -29 years
 S/o Inderjeet Thakur
 House No.-59/1
 Auhar, Bilaspur
 Himachal Pradesh-174024
 Post-Chemical Assistant (Group – B)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

O.A. No.633/2020

Abhishek Raj, Age 26 years
 S/o Sh. Raj Pal Singh
 H.No. A-102/1
 Kirti Palace Near Jagriti Nagar
 Meerut, U.P.-250004
 Post-Chemical Assistant(Group – B)

...Applicant
 (Mr. Hardik Ahluwalia and Mr. B K Singh, Advocates)

Versus

1. Union of India through Secretary
 Ministry of Finance, Department of Revenue
 North Block, New Delhi – 110 001
2. The Director (RL)
 Central Revenues Control Laboratory
 Hillside Road, Pusa Campus
 New Delhi – 110 012
3. The Secretary
 Staff Selection Commission
 Block No.12, Lodhi Road, Gokalpuri
 CGO Complex, Lodhi Colony



New Delhi – 110 003

..Respondents
(Mr. G S Virk, Mr. Satish Kumar and Mr. R K Sharma,
Advocates)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

In this batch of O.As., the applicants are challenging the action of the respondents in not treating the applicants as qualified for the post of Chemical Assistant in Central Revenues Control Laboratory (CRCL).

2. We heard Mr. Hardik Ahluwalia and Mr. B.K. Singh, learned counsel for the applicants and Mr. G.S. Virk, Mr. Satish Kumar and Mr. R.K. Sharma, learned counsel for the respondents.

3. This very question was dealt with by this Tribunal in **Rizwan v. Central Revenue Control Laboratory & others** (O.A. No.2738/2019& batch) decided on 07.10.2020. The relevant rules were interpreted, and the plea raised by the applicants therein was not accepted. The same situation obtains in the instant O.As. also

2. The question in some of the O.As. is about the exercise of discretion by Staff Selection Commission (SSC) or the competent authority, as regards the relaxation of the qualifications or experience. We make it clear that the SSC or



the appointing authority shall be entitled to exercise the discretion, in terms of the relevant recruitment rules.

5. The O.As. are disposed of accordingly.
6. All the pending M.As. in respective O.As shall stand disposed of.

There shall be no order as to costs.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/rk/vb/sd/akshaya7dec/