



## 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 24<sup>th</sup> 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  
 Suburbon 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/