

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.210/150/2021  
(with MA No.210/146/2021)**

**Dated this Thursday, the 25th day of February, 2021**

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)  
RAVINDER KAUR, MEMBER (J)**

**Proceeding conducted through video conferencing with  
the consent applicant's counsel.**

Mr. Thomas Arjun Nadge, Occupation : Service, Age 42 Yrs.,  
R/o 313, Chauda, Dongripada, Khanvil, Dadra & Nagar Haveli,  
Silvassa 396 230. Mobile No.9737289545,  
Email Id : [thomasnadge5@gmail.com](mailto:thomasnadge5@gmail.com).

(By Advocate Shri D.D.Naik)

- Applicant

**Versus**

1. Union of India, Through The Secretary, Ministry of Education  
(formerly M/o Human Resources Development),  
Department of School Education & Literacy,  
217-C, Shastri Bhavan, New Delhi 110 001.
2. The Director (Education), Directorate of Education,  
UT Administration of Dadra and Nagar Haveli,  
1<sup>st</sup> Floor, Building No.5, PWD Office Complex, Silvassa 396 230.
3. The Joint Secretary (Staff Selection Board),  
UT Administration of Dadra & Nagar Haveli, Silvassa 396 230.
4. The Deputy Secretary (Staff Selection Board),  
UT Administration of Dadra & Nagar Haveli,  
Vidyut Bhavan, Room No.310, 3<sup>rd</sup> Floor, Near Secretariat,  
Amli, Silvassa 396 230.

- Respondents

**ORAL ORDER**

**Per : Dr. Bhagwan Sahai, Member (A)**

**Present:**

Advocate Shri D.D.Naik for the applicant.

2. In this OA, relief has been sought against the notice dated 06.08.2019 issued by Deputy Secretary, Staff Selection Board, Dadra and Nagar Haveli, Silvassa to the applicant stating that he did not fulfil the essential qualification as per the Recruitment Rules because of which he was disqualified for the post of Post Graduate Teacher. He had applied for English subject in Marathi Medium. His medium in the



Graduation, Post Graduation, and B. Ed was English. Therefore, he was informed to appear personally on 12.08.2019 at 11:00 AM before Member Secretary, Staff Selection Board, Secondary Education at Secretariat, Silvassa.

3. Shri Naik submits that the applicant appeared in response to the notice but thereafter he has not received any reply from the respondents.

4. The OA also seeks setting aside of Office Memorandum dated 04.12.2019 which sought comments in 30 days to amendment of Recruitment Rules for the posts of Post Graduate Teachers in Higher Secondary Schools. This OM was for only inviting comments and suggestions to amend or revise the Recruitment Rules for the posts of Post Graduate Teachers in Higher Secondary Schools. With that OM a draft of the proposed amended/revised Recruitment Rules was also included.

5. The applicant's counsel has not been able to submit as to whether the applicant had submitted any comments on the draft of the proposed amended rules.

6. Since the applicant has already complied with the notice of 06.08.2019, he cannot seek relief against that notice now. Further the memorandum of 04.12.2019 was only for inviting comments on the proposed amended or revised Recruitment Rules, no grievance can be made out against it.

7. In view of these facts, we conclude that this OA has no merit and therefore, it cannot be admitted for adjudication. Hence, it is dismissed.

**(Ravinder Kaur)**  
**Member (Judicial)**

**(Dr. Bhagwan Sahai)**  
**Member (Administrative)**

kmg\*