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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

O.A.855/90

Smt.Champavati Saha,
Home Science Teacher,
Quarter No.4-B, Type-IV,
Sector-V, Ordnance Factory,
CHANDA 442 501.

.. Applicant

vs.

General Manager,
Ordnance Factory,
Chanda,
Tah.Bhadrawati,
Dist.Chandrapur,
PIN 442 501.

.. Respondent

Coram: Hon'ble Shri Justice U.C.Srivastava
Vice-Chairman

Hon'ble Shri P.S.Chaudhuri,
Member(A)

Appearances:

1. Mr.K.D.Deshpande
Advocate for the
Applicant.
2. Mr.Ramesh Darda
Counsel for the
Respondent.

ORAL JUDGMENT:
{Per U.C.Srivastava, Vice-Chairman}

Date: 10-7-1991

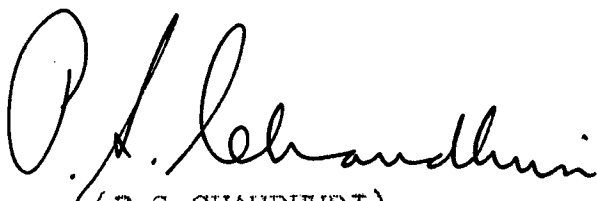
The applicant after passing her B.Sc. and B.Ed. examination joined the Ordnance Factory service in the capacity of High School Teacher in the year 1960 at Muradnagar. In the year 1982 she was appointed as HS/Selection grade in the scale of pay of Rs.740-880 which was revised to Rs.1640-2900 as per the recommendation of the IVth Pay Commission. According to the applicant the next junior teacher is Shri Mathew A.M.Trencil who is ~~L.T.~~ L.T./HSS who was initially appointed as Teacher in the scale of pay of Rs.440-750 which was revised to Rs.1400-2600 as per the recommendation of IVth Pay Commission and according to the Chattopadhyaya Commission, which was accepted by the Government, the scale of pay of Rs.1400-2300 has been revised to Rs.1640-2900 and the next


immediate junior has been placed in the said scale of pay. The applicant's scale of pay now revised is Rs.1640-2900 and the applicant apparently is seniormost and drawing maximum pay in the said scale.

2. On 11.9.1990 Mr.N.C.Deogade, Head Master issued a notice/circular saying that during his absence Shri Mathew A.MT. Trenchil will be Incharge of the School. This has led the applicant to approach the Tribunal on the ground that she is senior than Mr.Mathew.

3. The applicant apparently undoubtedly was senior to Mr.Mathew but rules also prescribe educational qualification and the applicant does not ~~xxxx~~ fulfil the said educational qualification inasmuch as she does not have Masters Degree and she is ^{not Language/} ~~only~~ Non-Language teacher of Higher ^{L School} Secondary/Inter College. Consequently she cannot claim to be Incharge/Headmistress in preference to Mr.Mathew. It is a different matter what happens when a selection to the post takes place.

4. In this ^{view} ~~way~~ of the matter the application has no merit and the same is dismissed with no order as to costs.


(P.S. CHAUDHURI)
Member(A)


(U.C. SRIVASTAVA)
Vice-Chairman