

22/11/08

Mr. C.R. Sharma, counsel for applicant.

Mr. Anupam Agarwal, counsel for respdt. 1 & 3.

Mr. T.P. Sharma, counsel for respdt. no. 2.

None present for respdt. no. 4.

Heard the learned counsel for the parties.

The court stands disposed of by a separate order.

  
L.R. Bhandari

(L.R. Bhandari)  
M.F.A.

  
M.L. Chauhan

(M.L. Chauhan)  
M.T.I.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR.

*Jaipur, the 22nd day of January, 2008*

ORIGINAL APPLICATION NO.4/2007

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR.R.R.BHANDARI, ADMINISTRATIVE MEMBER

Banshraj Saroj,  
Trained Graduate Teacher,  
Railway School,  
Gangapur City.

... Applicant  
(By Advocate : Shri C.B.Sharma)

Versus

1. Union of India through  
General Manager,  
West Central Zone,  
West Central Railway,  
Jabalpur.
2. Divisional Railway Manager,  
West Central Railway,  
Kota Division,  
Kota.
3. President & Senior Divisional Personnel Officer,  
West Central Railway,  
Kota Division,  
Kota.
4. Secretary,  
Railway Recruitment Board,  
East Railway Colony,  
Bhopal (MP).

... Respondents

(By Advocate : Shri Anupam Agarwal, counsel for  
Respondents No.1 & 3.)

Shri T.P.Sharma, counsel for  
Respondent No.2.

42

## ORDER (ORAL)

PER HON' BLE MR.M.L.CHAUHAN

The applicant has filed this OA thereby praying for a direction to the respondents to consider his case for the post of PGT (Biology) as he has already appeared in M.Sc. Examination in Biology subject and the respondents may be restrained to fill this post as per advertisement issued by them vide Ann.A/1.

2. Notice of this application was given to the respondents, who have filed their reply. In the reply, the respondents have categorically stated that the applicant does not possess the requisite qualification. According to the respondents, the applicant is having the qualification of PG degree in Economics, Graduation in Biology with B.Ed. As per rules, the requisite qualification for the post of PGT (Bio) is Masters Degree in Biology as principal subject with University Degree/Diploma in Education. Thus, according to the respondents, the applicant, being not eligible, has no right to challenge Ann.A/1. It is further stated in the reply that mere allowing the applicant to go for further study in the subject or taking the classes of that subject does not make him entitle for promotion to the post of PGT (Biology) till he acquires the requisite qualification for the same.

3. The applicant has also filed rejoinder reiterating the facts stated in the OA.

4. We have heard the learned counsel for the parties and gone through the material placed on record.

5. In the facts and circumstances of this case, we are of the firm view that the applicant has no locus-standi, at this stage, to challenge Ann.A/1, whereby the respondents have advertised two posts of PGT (Bio), as the applicant does not possess the Masters

Degree in Biology. Accordingly, the present OA is dismissed with no order as to costs.

*R.R.Bhandari*

(R.R.BHANDARI)  
MEMBER (A)

*M.L.Chauhan*

(M.L.CHAUHAN)  
MEMBER (J)

vk