

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00320/2014

Decided on: 11.04.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Ms. Pooja Singla w/o Amit Singla R/o # 3087 Sector 27-D, Chandigarh working as Assistant Professor in Computer Science and Engineering Department at Chandigarh College of Engineering and Technology, Sector 26, Chandigarh.

.....Applicant

Versus

1. Chandigarh Administration through its Administrator, Punjab Raj Bhavan, Sector 6, Chandigarh, UT.
2. Union Public Service Commission through its Secretary, Dholpur House, Shahjahan Road, New Delhi.
3. The Finance Secretary-cum-Secretary Education, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh.
4. Chandigarh College of Engineering and Technology, Sector 26, Chandigarh through its Principal.

.....Respondents

Present: Mr. Madan Lal Saini, counsel for the applicant
Mr. Aseem Rai, counsel for Respondents Nos.1,3 & 4
Mr. B.B. Sharma, counsel for Resp. No. 2

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Contends, inter alia, that the applicant, who is having master degree in Information and Technology, was appointed against the post of Lecturer on contract basis on 20.07.2007, further promoted

to the post of Assistant Professor (Computer Science and Engineering) and is performing her duties continuously since then. Vide advertisement No. 4/2014, the respondent department has circulated the regular post of Assistant Professor but the advertisement does not specify the equivalence of master degree in IT to that of computer Science and Technology, which is contrary to the decision of the All India Council for Technical Education and also in violation of the judicial pronouncement given on the subject. Reliance has been placed upon judgment rendered by the Hon'ble High Court in the case of Medical Council of India Vs. Union of India, 2009(2) SCT 678 and also in the case of Simla Devi Vs. state of Punjab, 2006(2) SCT 264. Applicant has an apprehension that his claim may be rejected on the ground of not having requisite qualification but no order to that effect has so far been passed.

2. Since no adverse order has been passed against the applicant, we are not inclined to entertain the O.A.

3. At this stage, learned counsel for the applicant states that he may be allowed to file a representation to the respondents for the redressal of his claim and the respondents may be directed to decide his claim.

4. For the order, we propose to pass, there is no need to issue notice to the respondents. However, Mr. Aseem Rai, learned Standing counsel for the Chandigarh Administration and Mr. B.B. Sharma, learned

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Standing counsel for the UPSC, who are present in the Court, accept notice on behalf of respondents No.1,3 & 4, and 2 respectively. They state that they have no objection to the allowance of the prayer of the applicant to dispose the OA with a direction to the respondents to decide the representation to be filed by the applicant.

5. Accordingly, the O.A. is disposed of, on consensual basis, with a direction to the Competent Authority amongst the respondents to decide the representation of the applicant, if it is so filed.

6. Needless to mention that we have not commented upon the merits of the case.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 11.04.2014

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