

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No.183 of 2019

This the 17th day of January, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)

Priyanka Kumari, Aged – 30 yrs, Group 'C'
D/o Chandrika Prasad Yadav, Post – Catering Assistant
R/o Gram Nagardar,
Post Maliya Thana Chanan, Nagardar,
Lakhisarai, Bihar – 811310.

....Applicant

(By Advocate : Shri Ashish Virmani)

VERSUS

1. Navodaya Vidyalaya Samiti, the Chairman,
Department of School Education & Literacy,
Govt. of India,
B-15, Institutional Area, Sector – 62,
Noida (G.B. Nagar)-201309 (UP).

.....Respondents

ORDER (Oral)

Ms. Nita Chowdhury, Member (A):

Heard learned counsel for the applicant at the admission stage itself.

2. By filing this OA, the applicant is seeking the following reliefs:-

- “8.1 Quash an set aside the impugned letter 20.11.2018 issued by the Respondent rejecting/cancelling the appointment of the applicant as a Catering Assistant with Respondent;
- 8.2 Direct the Respondent to grant the application to the Applicant as a Catering Assistant;
- 8.3 Direct costs of the present application to be paid by the Respondents;

8.4 Pass any other order or direction which this Hon'ble Tribunal thinks fit and properly in the facts and circumstances of the case."

2. The applicant has based his OA on the fact that the respondents vide their impugned order dated 20.11.2018 after verification of the documents found that the applicant does not have the requisite qualifications as per the Recruitment Rules of the post of Catering Assistant.

3. We have seen the said impugned order passed by the respondents and as has been written by them, we find that the Frankfinn Institute of Air Hostess Training, which have issued the diploma certificate of "Aviation, Hospitality & Travel Management, to the applicant, have themselves informed the Assistant Commissioner (Admi.), Navodaya Vidyalaya Samiti as under:-

- "1. Certificate issued to by Ms. Priyanka Kumari, D/o Sh. Chandrika Prakash Yadav in 2010 in Aviation, Hospitality & Travel Management is not equivalent certificate in Catering.
2. Frankfinn Institute of Air Hostess Training is a Training Institute and is now an approved training partner of NSDC and Tourism & Hospitality sector skill council. However, this certificate was issued from Frankfinn Institute of Air Hostess Training in 2010, and at that time Frankfinn Institute of Air Hostess Training was not the approved training partner of NSDC and Tourism and Hospitality Sector Skill council."

4. In view of the above position, hence, we do not find any illegality in the impugned order passed by the respondents and in view of the same, the prayer of the applicant that respondent failed to appreciate that her aforesaid diploma ought to have been considered equivalent to that of first year diploma in catering cannot be accepted.

5. In view of the above facts and circumstances of the case, this Court does not find any ground for admission of this case as the rejection of her case is based on the qualification requirement for the post in question. As such the present OA is dismissed being devoid of merit at the admission stage itself. There shall be no order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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