

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.726/2019
M.A. Nos.808/2019
M.A. No.809/2019

Friday, this the 1st day of March 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Sujata Chauhan aged about 31 years
w/o Mr. Anant Vikram Singh
H.No.332, Swami Kunj,
Deokali Faizabad, Uttar Pradesh – 224001
Currently residing at H.No.503, A Wing
Angel Villa, Madona Colony
Borivali-West, Mumbai – 400103

..Applicant

(Mr. Chetan R Wahi, Advocate)

Versus

1. The Commissioner, Kendriya Vidyalaya Sangathan
18, Institutional Area, Shaheed Jeet Singh Marg
New Delhi – 110 016
2. The Joint Commissioner (Admn.)
Kendriya Vidyalaya Sangathan
18, Institutional Area, Shaheed Jeet Singh Marg
New Delhi – 110 016

..Respondents

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The respondents intended to appoint Post Graduate Teachers (PGTs) of various categories and issued Advertisement No.14 of 2018 for this purpose. The applicant is a postgraduate in Bio-Chemistry. She applied for the post of PGT (Biology) – Sl. No.8 in the Advertisement. A written test was conducted and she

has been called for interview. It is stated that the respondents have not considered her case on the ground that she does not hold the prescribed qualification. She submitted a representation dated 13.02.2019 in this behalf. Her grievance is that no order has been passed thereon.

2. This O.A. is filed with a prayer to set aside the decision dated 11.02.2019, which is said to have been taken by the respondents refusing to consider her candidature.

3. We heard Mr. Chetan R Wahi, learned counsel for applicant at the stage of admission and perused the records.

4. Qualifications stipulated with the respective posts are clearly mentioned in the Advertisement itself. For the post of PGT (Biology), the following educational qualifications are stipulated:-

“Post Graduation in Botany/Zoology/Life Sciences/Bio Sciences/Genetics / Micro-Biology/ Bio-Technology/ Molecular Biology/Plant Physiology provided they have studied Botany and Zoology at Graduation level.”

The applicant does not hold these qualifications. She is a postgraduate in Bio Chemistry. It is not as if that post graduation degree in Bio Chemistry is not relevant at all for the posts in the relevant organization. For the post of PGT (Chemistry), the following qualifications are stipulated:

“Chemistry/Bio Chemistry”

5. For one reason or the other, the applicant has chosen to apply for the post of PGT (Biology) and not PGT (Chemistry). Her qualification does not fit to the one, prescribed for PGT (Biology). However, in case the written test conducted for selection of the candidates was common for all the PGTs, the case of the applicant can be considered for the post of PGT (Chemistry), if she makes a representation in this behalf.

6. We, therefore, leave it open to the applicant to submit representation within fifteen days from today, with a request to consider her case for appointment to the post of PGT (Chemistry). The respondent shall pass order thereon, duly taking into account the pattern of examination and marks secured by her, within four weeks from the date of receipt of such representation from the applicant.

There shall be no order as to costs.

Order **dasti**.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 1, 2019
/sunil/