

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...  
**ORIGINAL APPLICATION NO.060/00725/2019**  
**Chandigarh, this the 17<sup>th</sup> day of July, 2019**

...  
**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**  
**HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

...  
Dr. Manoj Kumar aged about 47 years, Associate Professor in Sociology, Post Graduate Government College for Girls, Sector 11, Chandigarh (U.T.) (Group A')- 160011.

....**Applicant**

**(Present: Mr. S.S. Pathania , Advocate)**

**Versus**

1. Chandigarh Administration through Secretary Education, U.T. Chandigarh – 160009.
2. Director, Higher Education, Chandigarh Administration, Chandigarh (U.T.) – 160009.
3. Principal, Post Graduate Government College for Girls, Sector 11, Chandigarh (U.T.) – 160011.

....  
**Respondents**

**ORDER (Oral)**

**SANJEEV KAUSHIK, MEMBER (J)**

1. Heard.
2. The applicant earlier approached this Court by filing O.A. No. 060/00006/2019 which was disposed of 08.01.2019 with a direction to the respondents to consider his pending representation in view of law laid down in the case of **Smt. Shweta Bali Vs. Union**

**of India & Others** (O.A. NO. 060/01090/2015 decided on 23.08.2017). In pursuance to the order of this Court, the respondents passed order dated 17.05.2019, rejecting the claim of the applicant, but that order is not under challenge in this O.A. The applicant has claimed the same relief as was prayed and

considered in the earlier O.A. The second O.A. seeking same relief, without a challenge to the latest rejection order passed by the respondents, is apparently not maintainable.

3. Upon making repeated queries, learned counsel has failed to satisfy this Court about the maintainability of this O.A., without challenging the rejection order. He did not show any interest or make any prayer to modify the relief clause by challenging the rejection order dated 17.05.2019. We are of the opinion that the O.A. cannot be entertained in the absence of a challenge to the rejection order, and the relief, we are afraid, cannot be granted without setting aside that order, legality of which is accepted by the applicant by not posing a challenge to it.

4. In these circumstances, we are left with no other option but to dismiss the O.A. being not maintainable. No costs.

**(A.K. BISHNOI)**  
**MEMBER (A)**

‘mw’

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**  
**Dated: 17.07.2019**