

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.5161 OF 2025**

Mr. Suman Bairagi .. Petitioner  
Vs.  
Union of India,  
Through Department of Personnel & Training and Ors. .. Respondents

Mr. V.A. Nagrani, Advocate for the Petitioner.

Mr. S.D. Deshpande, i/by Mr. Vinod Joshi, Advocates for Respondent No.2.

**CORAM : A.S. CHANDURKAR &  
M.M. SATHAYE, JJ**

**DATE : 23<sup>RD</sup> APRIL 2025.**

**PC. :**

1. Heard learned counsel for the parties.
2. The challenge raised in this writ petition is to an interim order passed by the Central Administrative Tribunal in Original Application No.261 of 2025. In the said Original Application, the petitioner raised a grievance as regards his non-consideration for participating in the recruitment process for the post of Scientist “B” (Non-Destructive) in National Test House. The reason that has weighed with the Tribunal at the prima-facie stage, is that the petitioner does not possess the requisite educational qualification prescribed in the advertisement.
3. On hearing the learned counsel for the petitioner, we find that the question with regard to the petitioner’s eligibility is a contentious issue which would require consideration by the Tribunal. While refusing to grant interim relief, the Tribunal has protected the interest of the

petitioner by stating that any selection made on the post in question would be subject to final outcome of the Original Application. The proceedings are now fixed on 29<sup>th</sup> April 2025.

4. Considering the fact that the Original Application is pending before the Tribunal, we are not inclined to interfere at this interlocutory stage. Instead, the Tribunal can be requested to expeditiously decide Original Application No.261 of 2025 in accordance with law. As noted above, the selection on the said post has already been made subject to final outcome of the Original Application.

5. Hence, by expediting the said proceedings pending before the Tribunal with a further observation that the interim order would not come in the way of the petitioner when the Original Application is finally argued and decided, the writ petition is disposed of. All points on merits are kept open.

[ M.M. SATHAYE, J. ]

[ A.S. CHANDURKAR, J. ]