

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 2531/98

New Delhi, this the 8th day of January, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P.BISWAS, MEMBER (A)

In the matter of:

Dr. D.D. Sharma
s/o late Sh. Munni Lal Sharma,
R/o 523, Urban Estate,
Sector -7, Karnal (Haryana) Applicant

(By Advocate: Shri A.K.Paruthi)

Vs.

Union of India through

1. Secretary,
Department of Agriculture Research &
Education (I.C.A.R.) Krishi Bhawan,
New Delhi.
2. Director General (ICAR),
Krishi Bhawan,
New Delhi.
3. Director,
National Dairy Research Institute,
Karnal (Haryana);
4. Head Department,
Dairy Cattle Nutrition,
National Dairy Research Institute,
Karnal (Haryana)
5. Registrar Dairy Science College,
National Dairy Research Institute,
Karnal (Haryana). Respondents

(By None)

O R D E R

delivered by Hon'ble Shri T.N.Bhat, Member (J)

We have heard the learned counsel for the applicant and for reasons that follow we are of the considered view that this OA deserves to be dismissed in limine.

Hyd 8.1.99.

2. The applicant was working in the N.D.R.I., Karnal as Principal Scientist and retired from service on 28.2.1998. The relationship of employer and employee thus ended on that day. It, however, appears that after the retirement of the applicant from service a Ph.D. scholar, namely, T.K. Dutta, who had earlier been allotted to the applicant for guiding him in Ph.D. programme has now been placed under another Guide for completing the Ph.D. The impugned order has been passed by the Director, NDRI, Karnal. Aggrieved by the aforesaid order of the Director passed on 24.4.1998 by which the said Shri T.K. Dutta has now been allotted to Dr. S.S.Kundu, Senior Scientist, the applicant has filed this O.A.

3. Learned counsel for the applicant vehemently argues that withdrawing of the aforesaid Ph.D. Scholar from the applicant's guidance and allotting him to another scientist is arbitrary and un-reasonable. However, the learned counsel was not able to state as to what particular service condition of the applicant was adversely affected by the said order, particularly so when the applicant has already retired from service.

4. As already mentioned, there is no relationship of employer and employee between the respondents and the applicant after the retirement nor does the allotment of a particular research scholar to the applicant for guidance constitute a condition of

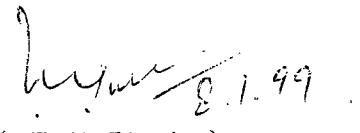
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service the contravention of which could afford a ground to the applicant to agitate the matter before a court of law.

(12)

5. For the foregoing reasons, we find no ground to issue notices on this OA. The O.A. is accordingly dismissed in limine.


(S.P.Biswas)
Member (A)


(T.N.Bhat)
Member (J)

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