

Original Application No.2027 of 1997

New Delhi, this the 19th day of July, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)
Hon'ble Mr. Kuldip Singh, Member (J)

Smt. Roma Singh
W/o Dr. Sahadeva Singh
R/o 36, Jia Sarai, Hauz Khas
New Delhi-16.

- Applicant

(By Advocate - Shri Suhail Dutt)

Versus

1. Union of India
through its Secretary,
Ministry of Agriculture,
Krishi Bhawan,
New Delhi.
2. Indian Council of Agricultural Research
Krishi Bhawan,
New Delhi.
3. Agricultural Scientists Recruitment Board,
through its Secretary,
Krishi Anusandhan Bhawan,
Pusa, New Delhi.
4. M. Jyoti Laxmi
Scientist,
Vivekanand Parvatiya Krishi Anusandhan
Shala, ICAR,
Almora (U.P).
5. M. Vincent
Scientist,
National Research Centre for
Banana (ICAR),
Trichi-620017.
Tamil Nadu.
6. Amutha. N.,
ICAR Research Complex,
(North Eastern Hill Region)
Barapani, Shillong,
Meghalaya.

- Respondents

(By Advocate - Shri Brijender Chahar)

O R D E R (ORAL)

By Hon'ble Mr. S.R. Adige, Vice Chairman(A)

1. Applicant impugns the appointments of respondents 4, 5 and 6 against vacancies for the post of Agricultural Research Scientist (in short 'ARS'),

Plant Physiology for the year 1995 and seeks a direction to respondent no.2 to recommend her appointment in ARS, Plant Physiology for the year 1995.

2. Heard both sides.

3. Applicant's contention is that for the year 1995, four vacancies became available in ARS, Plant Physiology and as she secured first position in the selection for the said post, she should have been appointed and denial of appointment to her by respondents is, therefore, illegal, arbitrary and violative of Articles 14 and 16 of the Constitution.

4. On the other hand, official respondents contend that appointments of respondents 4,5 and 6 were made for the ARS examinations for the year 1994, but subsequently those three private respondents were shown as appointees to ARS for the year 1995. Official respondents, therefore, contend that only one vacancy of ARS, Plant Physiology was available for the year 1995 and that single vacancy went to an OBC candidate, namely, one Shri Roystephen who secured fifth position in the merit list in the ARS examination in Plant Physiology for the year 1995.

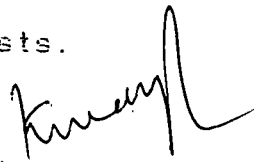
5. Official respondents have filed an additional affidavit on 11.7.2000. Annexure-1 to the additional affidavit contains the merit list of ARS

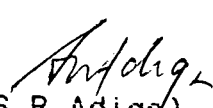


candidates in Plant Physiology for the year 1995, which shows the applicant's position at serial No.26 having secured 398 marks.

6. Under the circumstances, even if there were 4 vacancies in ARS Examinations in Plant Physiology in 1995 as contended by applicant; and not only one vacancy as contended by official respondents, it is clear that applicant would not have been amongst candidates who would have been appointed to any of the 4 vacancies.

7. In the result, we find no reason to interfere in the OA which is accordingly dismissed. No costs.


(Kuldip Singh)
Member(J)


(S.R. Adige)
Vice Chairman(A)

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