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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA.No.1200 of 1989.

New Delhi, dated this the 24th of March, 1994.

Mr. Justice V.S. MALIMATH, Chairman

Mr. S.R. ADIGE, Member(Admn.)

Dr. Jagdish Prasad,  
S/o Shri Ram Pal Singh,  
Aged 40 years,  
Asstt. Commissioner (HYVP),  
Crops Division,  
Ministry of Agriculture,  
Department of Agriculture &  
Cooperation,  
Krishi Bhavan, New Delhi.

... Applicant

By Advocate Shri R.L. Sethi though none appeared.

versus

Union of India through

1. The Secretary,  
Ministry of Agriculture,  
Deptt. of Agriculture & Coop.  
Krishi Bhavan, New Delhi.

2. The Secretary,  
Indian Council of Agricultural Research,  
Krishi Bhavan, New Delhi.

... Respondents

By Advocate Shri O.P. Kshatriya though none appeared.

O R D E R (Oral)

By Mr. Justice V.S. Malimath, Chairman.

As none appeared either for the petitioner or for the respondents and since it is an old matter of 1989, we consider it appropriate to look into the matter and decide on merits.

2. The petitioner was called upon to resign from the post of Assistant Director in the Ministry of Agriculture before he could be relieved for accepting the post in the Indian Council of Agricultural Research (ICAR-in short),

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as Scientist S-2. We do not find this unreasonable.

As it is not sure whether the petitioner would complete his probation period in the I.C.A.R. satisfactorily and get absorbed permanently, or not, it is undoubtedly a matter of concern for the respondents before he demits his job in the Government. But he cannot claim as a matter of right that his lien should be maintained in the Government service. We do not see any good ground to interfere in the matter. The application fails and the O.A. is, therefore, dismissed as devoid of merit.

No costs.

*S.R. Adige*  
(S.R. ADIGE)  
MEMBER (A)  
24.3.1994

*V.S. Malimath*  
(V.S. MALIMATH)  
CHAIRMAN  
24.3.1994

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