

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 26TH DAY OF OCTOBER, 1999

Original Application No.1325 of 1997

CORAM:

HON.MR.S.K.I.NAQVI, MEMBER(J)

1. Bhagwan Das son of Hari Lal,  
R/o Richan Road, TehsilBaheri  
Bareilly.
2. Ramesh Chand son of Janki prasad  
R/o Lalpur Tehsil Baheri Bareilly
3. Ram Das, son of Gendan Lal  
R/oLalpur Bareilly
4. Mahendra Pal son of Doki Ram  
R/o Lalpur Bareilly.
5. Dori Lal son of Ganesh Prasad  
R/o Lalpur Bareilly.
6. Deen Dayal, son of Baldev Prasad  
R/o Khajuria Post Fardpur  
Bareilly.

... Applicants

(By Adv: Shri S.Banerjee)

Versus

1. Union of India through the Secretary  
Ministry of Agriculture Government  
of India, New Delhi.
2. Indian Veterinary Institute Izat Nagar  
Bareilly.
3. Assistant Administrative Officer, Indian  
Veterinary Institute Izat Nagar, Bareilly.

... Respondents

(By Adv: Shri N.B.Singh)

O R D E R (oral)

HON.MR.S.K.I.NAQVI, MEMBER(J)

The applicants six in number have sought relief for direction to the respondents no.2 and 3 to include the persons belonging to scheduled caste category including the applicants to appear in the selection to the post of supporting staff Gr.I alongwith the persons of backward

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class and scheduled tribes.

2. As per their case the applicants belonged<sup>to</sup> to SC category and they are appointed as casual labours in the service of respondent no.2. As per their individual case Bhagwan Das applicant no.1 was for the first time engaged on 20.3.80 and his services came to an end vide oral order dated 9.6.92. The relevant dates in respect of Ramesh Chandra are 14.11.84 and 16.12.92. In respect of Ram Das applicant no.3 it is 1.12.88 and 16.12.1993. Regarding Mahendra Pal 1.1.87 and 16.12.92. Lastly, in respect of Dori Lal it is 28.10.1984 and 16.12.92. It is to be clarified that the first date mentioned against each applicant is the date<sup>when</sup> they <sup>here</sup> are engaged in the service and the second date <sup>s-</sup> each ~~is~~ indicated<sup>date of</sup> as the termination of their services.

3. Contesting the case of applicant the respondents have filed Counter affidavit with specific mention that the respondents institute i.e. Indian Veterinary Institute, Izat Nagar Bareilly invited applications from the candidates of 'other backward classes and 'scheduled tribes' for filling up 13 plus 1 vacant posts of supporting staff and therefore the applicants are not eligible for being considered. It has also been mentioned that otherwise too the applicants are not entitled for any relief by means of appointment in the respondents institute.

4. On perusal of record I find that the vacant posts which were to be filled in the respondents institute, <sup>here</sup> where the reserved posts for particular community i.e. 'backward class and scheduled tribes and therefore the applicants

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are not eligible to be considered for the posts. The applicants have also mentioned for other service benefits but have not sought for any relief on those counts.

5. From the pleadings on record it is found that the relief sought for cannot be granted. The application is dismissed accordingly.

*See page*  
MEMBER(J)

Dated: 26.10.1999

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