

**Central Administrative Tribunal
Ernakulam Bench**

O.A No.180/00357/2021

Tuesday, this the 3rd day of August, 2021

CORAM:

Hon'ble Mr. P.Madhavan, Judicial Member

Hon'ble Mr.K.V.Eapen, Administrative Member

Dr.C.A.Jayaprakas, aged 61 years

S/o.Shri.C.K.Arumughan

Principal Scientist, Division of Crop Protection

ICAR – Central Tuber Crops Research Institute (CTCRI)

Thiruvananthapuram – 695 017

Residing at Sreepadham, Navami Gardens

Sreekariyam, Thiruvananthapuram – 695 017

- Applicant

(By Advocates: Mr.V.Sajith Kumar, Mr.Vivek A.V)

Versus

1. The Indian Council of Agricultural Research
represented by its Secretary, ICAR, Krishi Bhavan
New Delhi – 110 001
 2. The Director General, Indian Council of Agricultural Research
Krishi Bhavan, New Delhi – 110 001
 3. The Central Tuber Crops Research Institute
Represented by its Director, ICAR – CTCRI
Sreekariyam, Thiruvananthapuram – 695 017
 4. Dr.M.N.Sheela, Principal Scientist & Acting Head
Division of Crop Improvement, ICAR – Central Tuber Crops
Research Institute , Sreekariyam
Thiruvananthapuram – 695 017
- Respondents

(By Advocate: Mr.P.Santhosh Kumar for R 1 to 3)

The application having been heard on 3rd August, 2021, this Tribunal delivered the following order the same day.

ORDER (ORAL)

Per: P.Madhavan, Judicial Member

This is an Original Application filed seeking the following reliefs:

“(i) To call for all the entire records leading to Annexure A1 and quash the same.

(ii) To declare that the applicant, senior most Principal Scientist at ICAR-CTCRI is fully eligible to be considered for appointment as Acting Director of the Institute.

(iii) To direct the respondents 1 and 2 to appoint the senior most Principal Scientist, the applicant herein, as the Acting Director of 3rd respondent Institute in terms of clause 1.3 (iv) of Annexure A3 expeditiously.

(iv) Grant such other reliefs as may be prayed for and as the Tribunal may deem fit to grant, and

(v) Grant the cost of this Original Application. ”

2. The brief facts of the case are as follows:

The applicant is aggrieved by the orders issued by the 1st respondent assigning the charge of Acting Director to the 4th respondent overlooking the instructions issued by the 1st respondent mandating the senior most Principal Scientist to be assigned the charge of Acting Director.

3. When the case was taken up today, it appears that Annexure A-5 representation is still pending without any consideration at the end of the respondents.

4. Counsel for the respondents submits that he has no objection in disposing of the representation.

5. In view of the above circumstances, **the O.A is disposed of with a direction to the respondents to dispose of the representation dated 11.6.2021 (Annexure A-5) submitted by the applicant on the basis of relevant rules and regulations and pass a speaking order within a period of three months from the date of**

receipt of a copy of this order.

6. The Original Application is disposed of accordingly at the admission stage itself. No costs.

(K.V.Eapen)
Administrative Member

(P.Madhavan)
Judicial Member

SV

List of Annexures

Annexure A1 - A true copy of the order F.No.1-1/2010-Estt. Dated 1.6.2021 issued on behalf of the 3rd respondent.

Annexure A2- A true copy of the Patent No.368943 dated 9.6.2021 issued to the ICAR by the Patent Office.

Annexure A3- A true copy of the instructions/guidelines on interim arrangement issued a sper F.No.8(1)/2018 Per.IV dated 23.4.2018 issued on behalf of the 1st respondent.

Annexure A4- A true copy of Order F.No.28(2)/2001-Per.III dated 25.3.2021 issued on behalf of the 1st respondent.

Annexure A5- A true copy of the representation dated 11.6.2021 submitted by the applicant before the 1st respondent.

. . .