

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 914 of 1999

Allahabad this the 25th day of May, 2004

Hon'ble Mr. Justice S.R.Singh, Vice Chairman  
Hon'ble Mr. S.K. Hajra, Member (A)

Udai Bir Singh, Son of Shri Gyan Singh R/o B-44/13,  
Rajendra Nagar, Bareilly.

By Advocate Shri Chandra Bhan Gupta

Applicant

Versus

1. Union of India through its Secretary, Indian Council of Agricultural Research, Krishi Bhawan, New Delhi.
2. Chairman, Agricultural Scientist Recruitment Board, Krishi Anusandhan Bhawan, PUSA, New Delhi.
3. Director, Central Avian Research Institute, Izatnagar, Bareilly.
4. Shri M. Sirajudeen, Ph.D. Scholar, Room No.243, Hostel No.4 I.V.R.I. Izzatnagar, Bareilly.

Respondents

By Advocate Shri N.P. Singh

O R D E R ( Oral )

By Hon'ble Mr. Justice S.R. Singh, V.C.

By means of this O.A. applicant has prayed for issuance of direction to respondents no.1 to 3 not to appoint the fourth respondent against the general vacancy for discipline in Poultry Science, advertised vide Notification dated 24.07.1998, and to fill up the vacancy from amongst the general candidates. The applicant has also prayed for issuance of a direction to the respondents..pg..

Def

:: 2 ::

to declare the result of successful candidate for Discipline in Poultry Science for general vacancy.

2. In para-7 of the counter-affidavit, it has been stated that Shri Sirajuddin-a reserved category candidate was selected in the Discipline of Poultry Science against general vacancy"on the basis of his merit in that discipline." It is further stated in the counter-affidavit that Sirajuddin secured highest position in the merit list. It is well settled that a reserved category candidate can be selected against the quota of general category candidate, on the basis of merit. This is also evident from O.M. dated 22.05.1989, a copy of which has been annexed as annexure C.A.-1 to the counter-affidavit. The relief claimed in the O.A., cannot be granted. Accordingly O.A. fails and dismissed with no order as to costs.

*S. M. Khan Haji*  
Member (A)

*R. H. J.*  
Vice Chairman

/M. M./