

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.509/93

DATE OF DECISION: 11.8.93

Dr.A.Raghunathan .. Applicant
Mr.P.V.Mohanan .. Advocate for applicant

Versus

1. Director, CMFRI, Cochin.31.
2. Director General, ICAR,
Krishi Bhavan, New Delhi.1. .. Respondents

Mr.Jacob Varghese .. Advocate for respondents

CORAM

Hon'ble Mr.Justice Chettur Sankaran Nair, Vice Chairman.

JUDGMENT

Applicant a Senior Scientist under respondents, seeks a declaration that he is eligible to get advance for purchase of a Motor Car. He applied for loan of Rs.73,200/-. Respondents did not grant it, on the ground that he had already availed of a loan, for purchasing a Scooter earlier. According to applicant distinction should be made between the Scooter and Car, and the earlier loan cannot be taken into account. He submits that equality before law and equal opportunity must prevail in these areas.

2. A Court or Tribunal will enforce a legal right. A welfare scheme which is subject to financial and other constraints, cannot be equated to a legal right. True even in

dealing with a bounty arbitrariness must be eschewed. Yet, in granting loans from the limited resources available, priorities and preferences will have to be followed. As long as they are not unreasonable, there will be no justification in interfering with the scheme. It can be called unreasonable, only if it is such that no reasonable man would have thought of. This Tribunal cannot ordain routine administrative matters, like granting of loan. However, if applicant has a grievance he may bring it to the notice of the second respondent, who will look into the matter and do what is possible in the circumstances.

3. With this direction, application is disposed of. No costs.

Dated the 11th day of August, 1993.

Sankaran Nair
CHETTUR SANKARAN NAIR(J)

VICE CHAIRMAN

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