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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
BOMBAY BENCH, CAMP AT NAGPUR.

Original Application No.420/92.

Dr.P.K.Jaiswal. Applicant.

V/s.

Union of India & Anr. Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri N.K.Verma, Member(A).

Appearances:-

Applicant by Shri S.K.Srivastava.
Respondents by Shri R.P.Darda.

Oral Judgment:-

{Per Shri M.S.Deshpande, Vice-Chairman} Dt. 1.11.1993.

Heard Shri S.K.Srivastava, counsel for the applicant and Shri Ramesh P.Darda, counsel for the Respondents. Shri Darda requests for further adjournment to file written submissions. In fact, the Respondents have been granted time from 13th July, 1992 repeatedly at the request of the Respondents counsel. No further adjournment would be justified. We, therefore, decline Shri Darda's request for an adjournment.

2. The submission of the applicant is that the advertisement at Annexure A-I which invites applications for the post of Director, Central Food Laboratory, Ministry of Health And Family Welfare is sought to be reserved for S.C. candidates and failing which should be reserved for S.T. candidates. It is submitted further that it is an isolated post and since its reservation would amount to 100% reservation, the reservation is bad. The point is squarely covered by the decision of the Supreme Court in Dr. Pradip Kumar Paswan V/s. State of Bihar (A.I.R. 1988 SC 959). Further, the post classified as Scientific or Technical

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above the lowest grade of Group 'A' for conducting Research or are exempted from reservation orders under the instructions issued by the Government.

3. In view of this, the application is allowed. The Advertisement No.15 at(Annexure A-I) reference to which is made in Employment ^{Notice No 6} News ~~11-47~~

S.no 7- D.O. 14-3-92
August, 1990 is quashed and the Respondents are directed to dereserve the post and any further Employment

Amended on 12-11-93
N.K.V. Notice should be on the basis that it belongs to open category. No order as to costs.

N.K.V.

(N.K.VERMA)
MEMBER(A)

M.S.D.

(M.S.DESHPANDE)
VICE-CHAIRMAN

B.