

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12211 of 2011

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Ram Naresh Singh S/O Ram Deo Singh R/O At Er-141, Janta House, Bahadurpur
Housing Colony, P.S.- Agamkuan, Distt.- Patna-800026

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Agriculture, Krishi Bhawan, New Delhi-110001
2. The Secretary Agriculture, Govt. Of India, Krishi Bhawan, New Delhi-110001
3. The Director General, Indian Council For Agricultural Research, Krishi Anushandhan Bhawan, New Delhi-110001
4. The Zonal Director, Indian Council of Agricultural Research, Zone II, Salt Lake City, Kolkata-97
5. The Additional Secretary, Department of Agricultural Research & Education, Krishi Bhawan, New Delhi
6. Charvak Socio Economic Development Trust through its Secretary Vijay Lodge, Chandra Nagar, Khagaria
7. The Secretary, Charvak Socio Economic Development Trust, Chandra Nagar, P.O.- Koshi College, Khagaria

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Niraj Kumar, Advocate.
For the Union of India: Mr. Ravindra Sharma, CGC.
For the Respondent no.4: Mr. Sunil Kumar and
Ms. Ranjana Kumari, Advocates.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 14-05-2018

Heard learned counsel for the petitioner and learned
counsel representing the respondent no. 4.



The pleadings available on the record would make it crystal clear that this petitioner was engaged by one Charvak Socio Economic Development Trust (hereinafter referred to as 'the Trust').

It appears that the Trust was engaged as a Non Governmental Organization under a Memorandum of Understanding to carry on certain scientific and technical work in the matter of implementation of the project of Krishi Vigyan Kendra. Only because there were two nominee members of the Indian Council of Agricultural Research (ICAR) in the Selection Committee of the Trust it will not confer status of an employee or create a contract of employment between the petitioner and the ICAR. The letter of engagement available at Annexure-1 has rightly been issued under the signature of the Managing Secretary of the Trust only. The grievance of the petitioner is that the Trust was not made available the funds by the ICAR after the year 2006-07. Learned counsel for the ICAR has explained the reasons and factual aspects behind stoppage of funding to the Trust after the Financial Year 2006-07.

In the opinion of this Court, the petitioner cannot claim his action against the ICAR for payment of his salary which he claims for the period 1st May, 2007 to 20th July, 2009, such claims are not available to the petitioner against the ICAR. The petitioner may pursue his remedy elsewhere, if so advised, in accordance with law.



The Writ Application has no merit. It is accordingly dismissed.

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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