

(2005) 08 KAR CK 0045
In the Karnataka High Court
Case No : Writ Petition No. 13550 of 2005

Dr. B. Ranganna

APPELLANT

Vs

University of Agricultural Sciences, GKVK

RESPONDENT

Date of Decision : 29-08-2005

Acts Referred:

Citation : (2005) 107 FLR 692 : (2005) ILR (Kar) 4857 : (2005) 4 KCCR 2643

Hon'ble Judges : B.S. Patil, J

Bench : Single Bench

Advocate : P.D. Vidhwanath, for the Appellant; D.N. Nanjunda Reddy, for the Respondent

Final Decision : Dismissed

Judgement

B.S. Patil, J.—The Petitioner has approached this Court seeking a direction to respondent-University to issue the petitioner an interview letter for the post of Director of Instruction (Agri) pursuant to the advertisement dated 5.10.2004 calling for application to the post.

2. It is the case of the petitioner that he is a B.E. Graduate in Mechanical Engineering and a Gold Medallist in M.E. (Ag) in Farm Power and Machinery from Tamilnadu Agricultural University. Petitioner also possesses Ph.D. in Agricultural and Bio-systems Engineering from McGill University, Canada. Petitioner joined the services in the respondent-University as Instructor in Farm Machinery to teach basic Agricultural Engineering subjects and also to undertake research in the same area. Petitioner claims that he has been periodically promoted and is presently working as Professor of Agricultural Engineering Sciences with effect from 30.5.1996.

3. The respondent-University issued a notification dated 5.10.2004 inviting application for various posts including the post of Director of Instruction (Agri). One of the qualifications prescribed for the post of Director of Instruction (Agri) is that the candidate shall possess a basic degree in Agricultural Science/Related

Sciences from a recognised university. Petitioner had applied for the post in pursuance of the notification. It is the grievance of the petitioner that though several others who had applied to the post were issued interview letters, he is not called for interview. On verification he claims to have found that the University has not considered his application for the post of Director of Instruction (Agri) on the ground that he did not satisfy the eligibility criteria, in that, he does not possess a basic degree in Agricultural Science/Related Science from a recognized University.

4. It is the contention of the petitioner that the degree in Mechanical/Electrical/Civil Engineering is the related subject of Agricultural Sciences due to which he was appointed in the University. He further contends that the notification does not specify the areas of related sciences. He being a Gold Medallist in M.E. (Ag) in Farm Power and machinery, having total experience of 32 years of teaching/research/extension is fully qualified for being considered for selection to the post in question and ought to have been called for interview is what is contended.

5. Learned Counsel appearing for the petitioner has contended that the Bachelor's degree that the petitioner possesses being B.E. in Mechanical is a degree in related science and therefore the petitioner is eligible for being considered to the post in question. The learned Counsel further submits that the Post-Graduate Degree in M.E. (Ag) in Farm Power and Machinery would also disclose that the qualification he possess is a related qualification.

6. Learned Counsel appearing for the respondent who has filed objections has mainly contended that as per the notification calling for the interview, the requirement is that the candidate must possess Bachelor's degree in Agricultural Science/Related Sciences. Admittedly, the petitioner possesses a Bachelor's degree in Mechanical Engineering. It is his stand that the application submitted by the petitioner was scrutinised by the Scrutiny Committee constituted by the University and after examining the certificate/documents enclosed along with his application the Scrutiny Committee has found that the petitioner was not eligible for the post, as he did not possess a Bachelor's degree in Agriculture/Related Sciences. Petitioner being a graduate in Mechanical Engineering was not qualified for being considered for the post and hence his application is rejected is what is contended by the Counsel for the respondent. It is further contended by the learned Counsel for the respondent that the Post-Graduate qualification that the petitioner possesses has no relevance for the purpose of finding his eligibility, as the requirement spelt out in the notification states that the petitioner shall possess the Bachelor's degree in any area of Agricultural Science from a recognised University. It is contended by Sri. Nanjunda Reddy, learned Counsel appearing for the University that the expression "Related Sciences" cannot be construed to include a graduate in Mechanical Engineering. At any rate, the Committee constituted to scrutinise the applications with reference to the qualifications possessed by the petitioner which is manned by an expert, has come to the conclusion that the petitioner does not possess the qualification in

any Related Science either and the decision taken by the expert cannot be a subject matter of review by this Court having, regard to the fact that the matter involves technical considerations.

7. Having heard the learned Counsel for the parties, it is to be seen that the notification calling for application specifically prescribe that the candidate shall possess a basic degree in Agricultural Science/ Related Sciences from the recognised University. It is not the case of the petitioner that he possesses any degree in Agricultural Science. It is his case that he is a graduate in Mechanical Engineering. Mechanical Engineering is a related Science to Agricultural Science is what is contended by the petitioner in this writ petition. The petitioner contends that a degree in Mechanical Engineering is relatable to degree in Agricultural Science. There is absolutely no foundation for this contention. No material is placed to enable this Court to pronounce on this aspect of the matter. What is a Related Science vis-a-vis the Agricultural Science is not a matter that can be gone into and pronounced upon by this Court. This matter necessarily involves the opinion of the experts who will be armed with necessary materials to find out whether a particular degree is a Related Science or not to Agricultural Science. It is contended by the University that the Scrutiny Committee is manned by an expert and it has come to the conclusion that the degree in Mechanical Engineering is not a related science to Agricultural Science. The petitioner's contention is that his degree in Mechanical Engineering should be treated as a degree in related science. Such a recourse is not open before this Court. This Court cannot enter into the evaluation of the relatedness of the degree possessed by the petitioner with that of the degree in Agricultural Science. Therefore, there is no substance in the contention raised by the petitioner. Hence, the same is rejected. The petitioner's request that he shall be called for interview cannot be entertained.

8. In the light of the above, the petition is devoid of merits and the same is dismissed with no order as to costs.