



2026:DHC:3572-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 9256/2019

DR. SUBHASH CHANDRA .....Petitioner

Through: Mrs. Ananya Mukherjee and  
Mr. Vikas Kumar, Advs.

versus

INDIAN COUNCIL OF AGRICULTURAL  
RESEARCH

.....Respondent

Through: Mr. Rajan Khosla, Mr. Gaurav  
Khosla, Mr Sukrit Khosla, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE C. HARI SHANKAR**

**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

**JUDGMENT(ORAL)**

% **21.04.2026**

**C. HARI SHANKAR, J.**

1. The petitioner joined as Scientist S-1 (Agricultural Extension) in the Indian Council for Agricultural Research<sup>1</sup> on 2 April 1986. He was granted senior scale in 1994.

2. The issue in controversy is the entitlement or otherwise of the petitioner to three advance increments under an incentive scheme propounded by the ICAR with effect from 1 September 2008.

3. The relevant clause in this regard may be reproduced thus:

“Incentives for higher qualifications. (To be effective w.e.f.

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<sup>1</sup> “ICAR” hereinafter



1.9.2008)

Five non-compounded advanced increments shall be given at the time of recruitment on or after 01.09.2008 as Scientist to persons possessing the degree of Ph.D awarded in the relevant discipline by a university following the process of registration, course-work and external evaluation as prescribed by the ICAR.

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A Scientist shall be given three non-compounded advance increments as and when he acquires Ph.D degree in his service career on or after 01.09.2008 from a University following the process registration, course-work and external evaluation as prescribed by the ICAR.”

4. The petitioner got himself registered for the course of Ph D in social science from Magadh University on 27 May 1999.
5. He stated that he had applied to the ICAR for permission to undergo the PhD course but that there was no response from the ICAR.
6. Having waited for some time, the petitioner got himself registered and underwent the PhD course. The subject of his thesis was “Food in Ancient India- As depicted in literature (from prehistory to C 75 A.D.)”.
7. Having obtained his PhD, the petitioner has applied to the ICAR for grant of three advance increments in terms of the ICAR policy extracted *supra*.
8. The ICAR rejected the application on the ground that he has not obtained permission before undergoing his PhD course and that he had



not obtained the PhD in the relevant discipline.

**9.** Aggrieved thereby, the petitioner moved the Central Administrative Tribunal<sup>2</sup> by way of OA 1115/2015.

**10.** By judgment dated 13 May 2019, the OA has been dismissed by the Tribunal.

**11.** The petitioner challenges the decision of the Tribunal by means of the present writ petition.

**12.** We have heard Ms. Ananya Mukherjee, learned Counsel for the petitioner, and Mr. Rajan Khosla, learned Counsel for the ICAR.

**13.** Ms. Mukherjee submits that the petitioner had waited for a considerable length of time before proceeding to obtain the PhD without the permission of the ICAR. The ICAR having sat upon the petitioner's application for almost two years, Ms. Mukherjee submits that her client cannot be faulted on that score.

**14.** She also contests the finding of the Tribunal that the subject in which the PhD was obtained was not a "relevant discipline".

**15.** We have heard Ms. Mukherjee but regret our inability to come to her aid.

**16.** The relevant clause in the scheme of the ICAR specifically

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<sup>2</sup> "the Tribunal" hereinafter



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grants three advance increments only to a scientist who acquires a PhD degree *from a university following the process of registration, course work and external evaluation as prescribed by the ICAR.*

**17.** Ms. Mukherjee is unable to contest the fact that the PhD obtained by her client does not satisfy this latter requirement. In fact, it was obtained even without obtaining permission from the ICAR.

**18.** Apropos the finding of the Tribunal that the PhD was not in the relevant discipline, while it is not possible for a Court, ordinarily, to return a subjective decision on this issue, matters would have been much easier if the petitioner had obtained a permission of the ICAR before embarking on her PhD course.

**19.** By undergoing the PhD without the permission of the ICAR, the ICAR was in a position to contend that the subject in which the PhD was obtained was not a relevant discipline for the purposes of the notification.

**20.** We may note, in this regard, that the thesis of the PhD related to “Food in Ancient India- As depicted in literature (from prehistory to C 75 A.D.)”.

**21.** We, therefore, cannot say that the ICAR acted arbitrarily in its decision that the subject matter of the petitioner’s PhD was not relevant to the activities of the ICAR.

**22.** We, therefore, do not find this to be a case for exercise of



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certiorari jurisdiction by way of interference with the judgment of the Tribunal.

**23.** The writ petition is, therefore, dismissed, with no orders as to costs.

**C. HARI SHANKAR, J.**

**OM PRAKASH SHUKLA, J.**

**APRIL 21, 2026/AT**