

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 181/00046/2021

Wednesday, this the 27th day of January, 2021

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

K.C. Aneesurahman, aged 31 years, S/o. Yousef,
 Kottiyatha Chetta House, Amini PO, Amini Island,
 Union Territory of Lakshadweep-682 552. **Applicant**

(By Advocate : Mr. Shabu Sreedharan)

V e r s u s

1. Union Territory of Lakshadweep,
 represented by the Administrator,
 Kavaratti, Lakshadweep – 682 555.
2. The Superintendent of Police cum Chief Fire Officer,
 Department of Fire Protection & Control,
 Union Territory of Lakshadweep, Kavaratti,
 Lakshadweep – 682 555. **Respondents**

(By Advocate : Mr. S. Manu)

This application having been heard on 27.01.2021, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard the learned counsel appearing for the parties.

2. The reliefs claimed by the applicant are as under:

“1. To direct the respondents to fill up the one remaining vacancy of Fireman/Driver Operator in the Department of Fire Protection & Control as per Annexure A1 employment notice by appointing the applicant to the said post within a time frame.

2. *And to pass such other appropriate orders or directions which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case so as to secure the ends of justice."*

3. The 2nd respondent issued Annexure A1 employment notice notifying 18 vacancies for the post of Fireman/Driver Operator in the Department of Fire Protection & Control. A select list of 25 candidates was prepared and the applicant was included at serial No. 22. The candidates with serial Nos. 8, 14 to 16 were not willing to join for duty. The other 17 candidates up to serial No. 21 in the said list already got appointed to the said posts and one post is still vacant and the applicant is the next candidate available to get posted to the said vacancy. Applicant submitted Annexure A4 representation before the respondents requesting to take urgent necessary steps to fill up the remaining one vacancy by appointing him. However, the said representation is still pending. Aggrieved the applicant has filed the present OA.

4. When the matter came up for consideration today, learned counsel for the respondents sought time for getting instructions in the matter. However, it appears that the applicant has not exhausted the remedies available to him as his representation at Annexure A4 dated 13.1.2021 is still pending consideration before the competent authority.

5. **In view of the facts revealed by the applicant, without going into the merits of the case, we deem it appropriate to direct the competent authority to consider Annexure A4 representation dated 13.1.2021 filed by the applicant in the light of the relevant rules and regulations and**

pass a reasoned and speaking order on merit within a period of three months from the date of receipt of a copy of this order.

6. The Original Application is disposed of as above at the admission stage itself. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the employment notice F. No. 10/28/2015-ACF dated 16.3.2017 issued by 2nd respondent.
- Annexure A2** – True copy of the order No. F. No. 10/28/2015-AC(F) dated 11.6.2019 issued by 2nd respondent.
- Annexure A3** – True copy of the the information No. F. No. 1/15/SB/2008-Pol/2793 dated 21.12.2020 obtained under the RTI Act dated 21.12.2020.
- Annexure A4** – True copy of the representation submitted by the applicant before the 1st respondent dated 13.1.2021.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-