

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 181/00066/2021

Monday, this the 8th day of February, 2021.

CORAM:

**HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Zakeerhussain T., 56 years,
S/o. P.P. Haris (late),
Superintendent, Office of the Joint Secretary (Legal),
(Special Cell), Secretariat, Kavaratti Island,
Union Territory of Lakshadweep – 682 555.
Residing at : Thaikandi House, Kiltal,
Union Territory of Lakshadweep – 682 558. - Applicant

[By Advocate : Mr. Ajith G. Anjarlekar]

Versus

1. The Union Territory of Lakshadweep
represented by the Administrator, Kavaratti Island,
Union Territory of Lakshadweep – 682 555.
2. The Director (Services),
Secretariat, Administration of Union Territory of Lakshadweep,
Kavaratti Island, Union Territory of Lakshadweep – 682 555.
3. The Accounts Officer (Finance & Accounts),
Secretariat, Union Territory of Lakshadweep,
Kavaratti Island,
Union Territory of Lakshadweep – 682 555. - Respondents

[By Advocate : Mr. S. Manu]

The application having been heard on 08.02.2021, the Tribunal on the same day delivered the following:

ORDER

Per: Mr. P. Madhavan, Judicial Member

The applicant filed this O.A seeking the following reliefs:-

- “i) Call for the records connected with the case.*
- ii) Direct the 2nd respondent to consider Annexure A-9 representation on merits, within a time period as deemed fit by this Hon'ble Tribunal.”*

2. The applicant is aggrieved by the failure on the part of the respondents to consider and dispose of Annexure A-9 representation seeking for the disbursal of annual increments and financial upgradations that are due to the applicant. The applicant entered in service of the Lakshadweep Administration on 12.03.1991 as LDC by direct recruitment on regular basis. The applicant was sponsored by the Lakshadweep Education Department for a 3 year LL B course during 2003. Accordingly, he obtained NOC from the Administrator and joined the course on 22.09.2003 at Government Law College Ernakulam. The Director, Medical and Health Services had sanctioned study leave for two years in connection with his studies. After completion the course on 31.03.2007, he reported back for duty on 03.04.2007, before the Medical Officer, Primary Health Centre, Kiltan, as directed in the leave sanction order. The respondents have not sanctioned the Annual Increment and other financial benefits due to the applicant from September, 2004. Meanwhile, the applicant was promoted as UDC and superintendent on regular basis without adding annual increment and financial upgradations. The applicant submitted A-9 representation to the respondents, which was not considered by the respondents. Hence, he filed this O.A.

3. Heard Mr. Ajit G. Anjarlekar, learned counsel appearing for the applicant. Mr. S. Manu, learned Standing Counsel for the Lakshadweep Administration takes notice. Heard both sides.

4. When the matter came up for hearing, it appears that Annexure A-9 representation is pending before the respondents and no finality has been achieved.

5. Hence, without going into the merits of the case, the respondents are directed to consider Annexure A-9 representation of the applicant in the light of relevant rules and guidelines and pass a speaking order within three months from the date of receipt of a copy of this order.

6. O.A is disposed of accordingly. No order as to costs.

(Dated, 8th February, 2021)

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

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Applicant's Annexures

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| Annexure A-1 | - | A true copy of the order dated 01.03.1991 issued by the Collector-cum-Development Commissioner vide F.No. 12/4/91-Services (3). |
| Annexure A-2 | - | A true copy of F. No. 4/18/2001-Edn (AW) dated 18.09.2003 issued by the Director of Education. |
| Annexure A-3 | - | A true copy of No Objection Certificate dated 18.09.2003 issued by the Secretary (Administration) vide F. No. 12/61/95-Services. |
| Annexure A-4 | - | A true copy of the order dated 30.08.2004 issued by the Director of Medical & Health Services vide F. No. 33/8/2003-DMHS/2867. |
| Annexure A-5 | - | A true copy of the certificate dated 09.03.2009 issued by the Principal, Government Law College, Ernakulam. |
| Annexure A-6 | - | A true copy of the Order dated 31.01.2008 issued by the Director (Services) vide F.No.12/3/2002-Services. |
| Annexure A-7 | - | True copy of the order dated 23.06.2018 issued by the Director (Services) vide F. No.12/24/2017-Services (3)/2710. |
| Annexure A-8 | - | A true copy of the representation dated 27.09.2019 submitted before the 3 rd respondent. |
| Annexure A-9 | - | A true copy of the representation dated 16.07.2020 submitted before the 2 nd respondent. |

Annexures of Respondents

NIL
