

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.436/2004

Dated Monday this the 14th day of June, 2004.

C O R A M

HON'BLE MR.S.K.HAJRA, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

1. Ashok P.
Ashok Nivas, Kanjirassery
Irunilamkode P.O.
Mullurkara (via)
Thrissur Dist. 680 583.
2. Kannadas K.
Sreyas, Thekkegramam P.O.
Chittur, Palakkad.

Applicants.

(By advocate Mr.K.R.B.Kaimal)

Versus

1. Union of India represented by
its Secretary
Ministry of Personnel, Public Grievances and
Pension, Department of Personnel & Training
North Block, New Delhi.
2. The Director
Central Bureau of Investigation
Block No.III, CGO Complex
Lodhi Road, New Delhi.

Respondents.

(By advocate Mr.C.B.Sreekumar, ACGSC)

The application having been heard on 14th June, 2004 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The grievance of the applicants is that they have been selected as police constables in the C.B.I. and also called for medical examination and subsequently found medically fit also. The C.B.I. apparently cancelled the selection stating that there was some irregularity in the selection process which went upto the Hon'ble Supreme Court in litigation. The Hon'ble Supreme Court, in tune with the decision of the High Court, directed the CBI to finalize the list within 60 days which was done (Annexure A-10). Though the applicants were found in the merit list in the earlier occasion, they could not find place in A-10 list. It is also averred in the OA that there are 29 vacancies in existence

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and if that is considered, there is every possibility of the applicants being selected. Aggrieved by the inaction on the part of the respondents, they have filed this application seeking the following reliefs:

- (i) An order directing the 2nd respondent to take up and pass orders on A-12 and A-13 representations submitted by the applicants sufficiently before completion of selection process and to appoint them forthwith.
- (ii) An order directing the respondents to fill up the 29 vacancies and vacancies which arose during the course of selection process from among candidates who participated in the present selection process.
- (iii) An order declaring that non-inclusion of applicants' name in A-10 is arbitrary and illegal.

2. When the matter came up for hearing, the learned counsel for the applicants submitted that the two applicants have filed representations A-12 & A13 respectively to the second respondents and the said representations have not yet been considered and disposed of. He submitted that the applicants would be satisfied if their application is disposed of directing the respondents to consider and dispose of the said representations within a time frame. Shri C.B.Sreekumar, ACGSC, took notice for the respondents and submitted that he has no objection in adopting such a course of action.

3. In the interest of justice, this Court also feels that such a limited direction will meet the ends of justice. Therefore, this Court directs the second respondents to consider and dispose of A-12 & A-13 representations in accordance with law within a time span of one month from the date of receipt of the copy of this order and communicate the same to the applicants.

3. The OA is disposed of at the admission stage itself. No order as to costs.

Dated 14th June, 2004.



K,V,SACHIDANANDAN
JUDICIAL MEMBER



S.K.HAJRA
ADMINISTRATIVE MEMBER