

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.438/97

Monday, this the 31st day of March, 1997.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

G Devapalan Nair,
Director,
Kerala Samuha Jalasechana Samithy,
Trissur-680 005. - Applicant

By Advocate Mr N Nandakumara Menon

Vs

1. The Union of India represented by its Secretary, Ministry of Personnel, Public Grievances and Pension, New Delhi.
2. The Union Public Service Commission represented by its Secretary, Dholpur House, Shah Jahan Road, New Delhi.
3. The State of Kerala represented by the Chief Secretary, Secretariat, Trivandrum.
4. The Selection Committee for Selection to Indian Administrative Service constituted under Regulation 3 of the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, Dholpur House, Shah Jahan Road, New Delhi. - Respondents

By Advocate Mr TPM Ibrahim Khan, SCGSC (for R.1,2 & 4)

By Advocate Mr CA Joy, G.P (for R-3)

The application having been heard on 31.3.97 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant is an aspirant for promotion to the Indian Administrative Service by selection against the quota for the non-State Civil Service Officers. He submits that in an earlier

..2...

selection in the year 1995, his case could not be considered because the recommendation in that behalf had been made by the Head of the Department after the last date for such recommendation. He had filed O.A.200/96 and the Tribunal while disposing of the O.A. stated that non-consideration of his case during 1995 would not stand in the way of consideration against a future vacancy if there had been delay in the applicant's parent department forwarding his application, and if the applicant was a good officer deserving consideration. When his/^{case}came up for consideration against the current selection, applicant submits that by A-3 order he was kept under suspension and that his case was dropped from consideration. It is submitted that A-3 order is under challenge before the High Court in O.P.3791/97 and that it is coming for orders today. Applicant prays for a direction to respondents to consider his case for appointment by selection in the meeting of the selection committee scheduled to be held shortly.

2. Learned counsel for third respondent-State Government submits that the selection committee in this behalf had already met on 26.3.97.

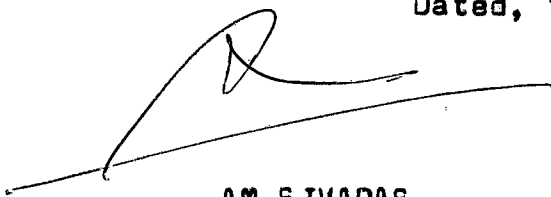
3. Under these circumstances the only prayer of the applicant in the O.A. that he may be directed to be considered at the meeting of the selection committee scheduled to be held shortly

..3...

becomes infructuous. The O.A. has been filed one day after the selection committee had already met in the matter.

4. We accordingly dismiss the application as infructuous. Applicant will be free to pursue such remedies as are available to him if he has a further grievance regarding the selection. No costs.

Dated, the 31st of March, 1997.



AM SIVADAS
JUDICIAL MEMBER



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

trs/313

LIST OF ANNEXURE

Annexure A 3: A true copy of order
G.O.(Rt) No.237/97/IRD
dated 24.2.1997 issued
by the 3rd respondent
to the applicant.

.....