

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.530/94

Monday, this the 9th day of January, 1995.

C O R A M

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

....

P Koya, Godown Keeper,
Cooperative (S&M) Society,
Minicoy.

....Applicant

By Advocate Shri MR Rajendran Nair.

vs.

1. The Collector-cum-Development Commissioner,
Union Territory of Lakshadweep,
Kavaratti Island.
2. The Administrator,
Union Territory of Lakshadweep,
Kavaratti Island.

....Respondents

By Advocate Shri MVS Nampoothiry.

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant, who is working as a Godown Keeper in the Cooperative (S & M) Society, Minicoy, is aggrieved by Al orders by which he has been considered not eligible for promotion to the post of Upper Division Clerk. According to him, he appeared for a typewriting test conducted at Minicoy on 24.1.1992 and was declared passed as seen from A6. However, by Al3 order dated 5.8.1992, the result of this test was cancelled without notice to the applicant. The cancellation was challenged by the applicant in OA 919/92 and the Tribunal quashed the cancellation permitting second respondent to conduct a detailed enquiry after due notice to the applicant.

contd.

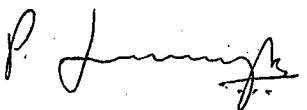
In pursuance of this direction, an enquiry was ordered by A17 and its findings are seen in A1 impugned order which upheld the cancellation of the earlier result declaring the applicant passed. ~~During the pendency of the present OA~~ An interim direction was issued on 23.6.1994 that if any typewriting test is held during the pendency of the OA, applicant will be allowed to take the test. Applicant was allowed to take such a test and learned counsel for applicant states that he was declared failed.

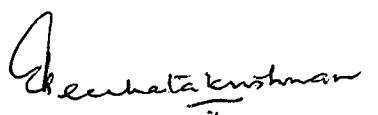
2. During the hearing, learned counsel for applicant submitted that he will be satisfied if applicant is given a further chance to appear at the next typewriting test and he would abide by the results of such a test. He also prayed that till such a test is conducted and the results thereof known, he may be allowed to continue at Minicoy in his present post.

3. We record the above submission and direct respondents to permit applicant to appear for the next typewriting test to be held for considering promotion to Upper Division Clerk and till such a test is held and the results thereof are announced, applicant will be permitted to continue in his present position as Godown Keeper.

4. Application is disposed of as above. No costs.

Dated the 9th January, 1995.


P SURYAPRAKASAM
JUDICIAL MEMBER


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

List of Annexures

1. Annexure-A1: True copy of the Order F.No.12/89/91-Services dated 11.3.1994 issued by the 2nd respondent to the applicant
2. Annexure-A6 : True copy of the letter No.1/23/91-Services(cc) dated 21.2.92 issued by the 2nd respondent to the applicant.
3. Annexure-A13: True copy of the Order F.No.1/23/91-Services (CC) dated 5.8.1992 issued by the 2nd respondent to Deputy Collector.
4. Annexure-A17: True copy of the proceedings F.No.12/89/91-Services dated 25.9.1993 issued by the 2nd respondent to the applicant.