

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.549/2005.

Wednesday, this the 20th day of July, 2005.

CORAM:

HON'BLE MR. K. V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. N. RAMAKRISHNANN, ADMINISTRATIVE MEMBER

(By Advocate Shri B. Harishkumar)

vs.

1. The Administrator,
Union Territory of Lakshadweep, Kavarathi.
2. The Director,
Directorate of Education,
Union Territory of Lakshadweep,
Kavaratti.
3. The Head Master,
Govt. Senior Basic School, Agatti Island,
Union Territory of Lakshadweep. Respondents

(By Advocate Shri Shafik M.A.)

The application having been heard on 20.7.2005, the Tribunal on the same day delivered the following:

ORDER (Oral)

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

The applicant who claims that she is working on a regular vacancy of Trained Graduate Teacher (Malayalam) under the respondents. Earlier a termination order(A4) dated 21.6.2004 was issued by the 2nd respondent and allowed the applicant to continue in service. According to her that was on adhoc basis permitting her to continue against a regular vacancy of a person who has been transferred to Chetlat. Now, the applicant apprehends that the respondents are taking steps to terminate her services. The applicant has filed two representations A-3 and A-5 dated 13.7.2005 which are not yet disposed of. Aggrieved by the said action on the part of the respondents the applicant has filed this O.A. seeking the following main reliefs:

I. To direct the respondents to consider and dispose of the Annexure A5 representation, after affording an opportunity of being heard to the applicant, pending before the second respondent.

II. To issue an order directing the respondents to regularise the service of the applicant taking into account of her continuous service in the respondent school.

III. To issue an order directing the respondents not to terminate the service of applicant for accommodating the temporary hands before disposing Annexure A5 representation.

2. When the matter came up before the Bench, Shri B.Harishkumar, learned counsel appeared for the applicant and Shri M.A.Shafik, learned counsel appeared for the respondents. Counsel for respondents submits that the applicant has no legal right to claim the reliefs sought for. Counsel for the applicant submitted that the applicant would be satisfied if he is permitted to make a comprehensive representation with all details to the Ist respondent within a week and the Ist respondent be directed to consider and dispose of the same and pass appropriate orders within a time frame.

3. We are also of the view that such a direction will meet the ends of justice.

4. In the interest of justice, we direct the applicant to make a comprehensive representation to the Ist respondent within a week and the Ist respondent shall consider and dispose of the same and pass appropriate orders within a time frame of two months from the date of receipt of such representation. Till such time the applicant will not be disturbed if a regular hand is not replacing her.

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5. O.A. is disposed of as above. In the circumstance, no order as to costs.

Dated the 20th July, 2005.

N.R.K.

N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER


K.V. SACHIDANANDAN
JUDICIAL MEMBER

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