

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.553/2002

Wednesday this the 7th day of August, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

C.N.Shajahan S/o late M.K.Mohammed Haneefa
Koya, aged 34 years, Junior Engineer,
LPWD Civil Sub Division,
Kavaratti.

..Applicant

(By Advocate Mr. M.R.Hariraj)

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1. Union of India, represented by
the Secretary to Government of
India, Ministry of Urban Development,
New Delhi.
2. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
3. The Superintending Engineer,
LPWD, Kavaratti.

..Respondents

(By Advocate Mr. P.R. Ramachandra Menon, for R 2-3)

The application having been heard on 7.8.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, a Graduate Engineer working under
the third respondent has filed this application for a
direction to the respondents to notify the Lakshadweep
Administration Assistant Engineer (Civil) Public Works
Department Recruitment (Revised) Rules, 1999 with
retrospective effect declaring that the delay in notifying
the Recruitment Rule is illegal and arbitrary.

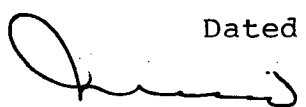
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2. When the application came up for admission, Shri C.Rajendran, SCGSC took notice for Respondent No.1 and Shri PRR Menon took notice on behalf of Respondents 2 and 3. Learned counsel of the applicant states that the Recruitment Rule has since been notified and that the application may be disposed of permitting the applicant to make a representation to the 1st respondent seeking retrospective effect to be given to the notification and directing the first respondent that if such a representation is received, the same may be considered taking into account the special circumstances of the case and to give an appropriate order to the applicant. Counsel of the respondents state that the application may be disposed of as suggested by the learned counsel of the applicant.

3. In the light of the submission of the learned counsel of all the parties, the application is disposed of permitting the applicant to make a representation to the 1st respondent within one month from today, seeking retrospective effect to the notification of the Recruitment Rules and directing the 1st respondent that if such a representation is received, the same shall be considered and disposed of with an appropriate order within a period of two months from the date of receipt of the representation. No costs.

Dated the 7th day of August, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the final order dated 5.8.98 in OA 1382/97 of this Hon'ble Tribunal.
2. A-2 : True copy of the Lakshadweep Administration Assistant Engineer (Civil) Public Works Department, Recruitment Rules, 1999 (Amended), vide notification dated 26.8.1999.

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12.8.02