

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 557 of 2003

Wednesday, this the 9th day of July, 2003

CORAM

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

1. Patric Manuel Mascrene,
S/o Joseph Mascrene,
Craftman-T-2,
Central Tuber Crops Research Institute,
Trivandrum
Residing at No.TC-30/1698, Petta,
Trivandrum.Applicant

[By Advocate Mr.KM Anthru for Mr.TC Govindaswamy]

Versus

1. The Director General,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi-2

2. The Director,
Central Tuber Crops Research Institute,
Sreekaryam, Trivandrum-17Respondents

[By Advocate Mr. P. Jacob Varghese]

The application having been heard on 9-7-2003, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant, who is working as Craftsman T-2 grade in the Central Tuber Crops Research Institute, Trivandrum, seeks a declaration that the nonfeasance on the part of the 2nd respondent to grant him the benefit of T-3 grade in the scale of Rs.4500-7000 with effect from 7-5-2000 is arbitrary, discriminatory and unconstitutional. He seeks this Tribunal's direction to the 2nd respondent to grant him the benefit of T-3 grade in the scale of Rs.4500-7000 with effect from 7-5-2000 with all consequential benefits like arrears. In the alternative, the applicant seeks a direction to be issued to the 2nd respondent to consider his pending A2 and A3 representations within a time frame.

2. When the matter came up for consideration for admission, Shri P.Jacob Varghese took notice on behalf of the respondents. Shri K.M.Anthru, learned counsel appearing for the applicant stated that the applicant would be satisfied if the alternative prayer, viz. issue of a direction to the 2nd respondent to consider the applicant's pending A2 and A3 representations, is granted and that the OA can accordingly be disposed of. Shri P.Jacob Varghese, learned counsel for the respondents has also stated that such a course of action can be taken and the OA can be disposed of with a direction to the respondents to consider the representations and pass appropriate orders thereon within a specific time frame.

3. In the light of the above submissions of the learned counsel on either side, we consider it appropriate to direct the 2nd respondent to consider the applicant's A2 representation dated 15-5-2002 and A3 representation dated 26-11-2002 in the light of the extant rules, instructions and orders on the subject and pass appropriate orders thereon with a copy to the applicant within a period of three months from the date of receipt of a copy of this order. We direct accordingly.

4. The Original Application is disposed of as above. No order as to costs.

Wednesday, this the 9th day of July, 2003



K.V. SACHIDANANDAN
JUDICIAL MEMBER


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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