

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.565/08

Friday this the 31st day of July 2009

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

1. I.Deepa,
D/o.K.R.Narayanan Panicker,
Assistant Compiler,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at Thushara, Jeevan Nagar,
Pattom, Thiruvananthapuram.
 2. Manoj C.,
S/o.P.K.Chandra Lal,
Assistant Compiler,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at Ravi Mandiram,
Near S.N.College, Mundakkal, Kollam.
 3. Manju S.,
D/o.G.Manoharan,
Assistant Compiler,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at TC-6/1877, SRA 24,
Karthika, Vattiyur Kavu P.O., Trivandrum – 13.
 4. Biju S.,
S/o.C.V.Sukumara Pillai,
Assistant Compiler,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at Chalayil House, Charamangalam,
Muhama P.O., Alappuzha.
 5. S.Riaz,
S/o.H.A.Sualiman,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at TC – 43/11, Kidargil Veedu,
Thottanmaracaud, Trivandrum.
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6. Beena C.S.,
S/o.Sivasankara Pillai,
Directorate of Census Operations,
Kerala, C.G.O. Complex, Poonkulam,
Vellayani P.O., Trivandrum.
Residing at Thejas, TC 28/1204,
Sreekanteswaram Fort P.O., Trivandrum.

...Applicants

(By Advocate Mr.P.V.Mohanan)

Versus

1. Union of India represented by Secretary,
Ministry of Home Affairs, Government of India,
New Delhi.
2. The Registrar General, India,
Office of the Registrar General, India,
2/A, Mansingh Road, New Delhi – 110 011.
3. Deputy Director,
Directorate of Census Operation, Kerala,
C.G.O.Complex, Poonkulam,
Vellayani P.O., Trivandrum.

...Respondents

(By Advocate Mr.P.A.Aziz,ACGSC)

This application having been heard on 31st July 2009 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicants, who are Assistant Compilers, have filed this Original Application before this Tribunal under Section 19 of the Administrative Tribunal Act mainly seeking a direction to the respondents to promote them to the category of Compilers (pre revised scale of Rs.4000-6000) forth with, with all consequential benefits.

2. The respondents have filed a reply statement enclosing therewith a Annexure R-1 copy of the order dated 22.1.2009 promoting the applicants herein to the post of Compilers on regular basis with effect from 22.1.2009 ie. the date of issue of the order and submitted that the O.A has become infructuous.




3. Shri.P.V.Mohanan, counsel for the applicants, has submitted that the DPC was met for the promotion of the applicants on 7.7.2008. The applicants were eligible for promotion even prior to that date as they have completed 8 years of regular service. He has also pointed out that in all other regions similarly placed persons were promoted with effect from the due dates ie. on completion of 8 years of regular service. He has, therefore, sought a direction to the respondents to promote the applicants as Compilers from their respective due dates, ie. the date from which they have completed the requisite minimum period of regular service.

4. We have considered the arguments of the learned counsel for the parties. In our view this O.A has become infructuous as the respondents on their own have promoted the applicants as Compilers during the pendency of this O.A. The prayer of the applicants was also to direct the respondents to promote them forthwith. However, if the applicants have any grievance regarding their effective dates of promotions, they are at liberty to agitate the same by way of filing a fresh O.A. This O.A is, therefore, dismissed as infructuous. There shall be no order as to costs.

(Dated this the 31st day of July 2009)



K.GEORGE JOSEPH
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER

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