

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 566 of 2003

Friday, this the 11th day of July, 2003

CORAM

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

1. M.K. Koya,
S/o late P.D.Cheriyakoya,
Ex. Technical Assistant (Agriculture),
District Panchayaths, Kavarathi (Lakshadweep),
Residing at Malmi Kakkadu House,
Kalpeni, Lakshadweep.Applicant

[By Advocate Mr. T.C. Govindaswamy]

Versus

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Home Affairs, New Delhi.
2. The Administrator,
Lakshadweep Administration,
Kavaratti - 682 555, Lakshadweep.
3. The Union Public Service Commission,
New Delhi through its Secretary.Respondents

[By Advocate Mr. C. Rajendran, SCGSC (R1 & R3)]
[By Advocate Mr. S. Radhakrishnan (R2)]

The application having been heard on 11-7-2003, 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 was a Technical Assistant (Agriculture) in the Union Territory of Lakshadweep, was dismissed from service by Annexure A1 order dated 15-12-2000 of the 2nd respondent. By Annexure A2 dated 7-1-2001, the applicant filed an appeal before the President of India seeking appropriate reliefs. The grievance of the applicant is that the said appeal filed before the President of India has not been acted upon so far, although nearly two years have passed since the filing thereof. The following is the relief sought:-

2.

"(a) Direct the first respondent to consider the applicant's Annexure A2 appeal, in accordance with Rule 27 of the CCS (CCA) Rules, 1965, to pass appropriate orders and to communicate the same to the applicant within a time limit as may be found just and proper by this Hon'ble Tribunal."

2. Shri C.Rajendran, SCGSC takes notice on behalf of the 1st and 3rd respondents and Shri S.Radhakrishnan takes notice on behalf of the 2nd respondent.

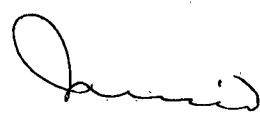
3. When the matter came up for admission, Shri T.C. Govindaswamy, learned counsel for the applicant submitted that Annexure A2 appeal is understood to be before the Union Public Service Commission presently and that, therefore, the 1st respondent may be directed to cause Annexure A2 appeal to be disposed of within a time frame. Learned SCGSC has pointed out that such a course of action can be taken in this case and the OA can be disposed of accordingly.

4. On a consideration of the relevant facts, we consider it proper to dispose of this OA with a direction to the 1st respondent to ensure that Annexure A2 appeal filed by the applicant in terms of Rule 23, read with Rule 27 of the CCS (CCA) Rules, 1965 be considered and appropriate orders thereon passed, with a copy thereof to the applicant, within a period of five months from the date of receipt of a copy of this order. We do so. There is no order as to costs.

Friday, this the 11th day of July, 2003



K.V. SACHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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