

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 571 of 1993.

DATE OF DECISION 1.4.93

M. N. Divakaran Applicant (s)

M/s MC Cherian, Saramma Cherian and TA Rajan Advocate for the Applicant (s)
Versus

UNION of India rep. through Under Secretary, Central Water Commission, New Delhi and others Respondent (s)

Mr. Ajith Prakash proxy counsel rep. SCGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S. P. Mukerji, Vice Chairman

and

The Hon'ble Mr. A. V. Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

(Hon'ble Mr. S. P. Mukerji, Vice Chairman)

We have heard the learned counsel for both the parties on this application in which the applicant has sought the following reliefs:-

"(i) Issue an order quashing Annexure-VIII order, in so far as it has not regularised the service of the applicant as Asstt. Electrician and fixed the pay accordingly.

(ii) Issue necessary directions to the respondents to regularise the service of the applicant in scale Rs.210-290 Asstt. Electrician or other equivalent post, in continuation of the service prior to 20.3.1984 duly taking into account the entire past service from 3.1.1977 onwards and give pay fixation and attendant benefits of arrears and promotion and other service benefits accordingly with effect from 20.3.1984 onwards.

(iii) In the alternative, direct the respondents to consider and dispose off Annexure-IX representation, duly taking into account, Annexure-XI and XII judgments of this Hon'ble Tribunal also and the principles laid down therein.

(iv) Issue such other directions or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case."

2. When the case was taken up for admission to day,

the learned counsel for the applicant stated that the applicant will be satisfied if the respondents are directed to dispose of the representation dated 2.12.92 filed by the applicant as at Annexure-IX keeping in view the judgment of this Tribunal dated 2.9.92 in O.A. 684/91, a copy of which is at Annexure-XI. He has also brought out that in similar cases representations were directed to be disposed of on the above lines.

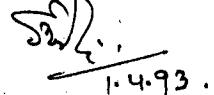
3. The learned counsel for the respondents stated that he had no objection to the application being admitted and disposed of at the stage of admission on the lines suggested by the learned counsel for the applicant.

4. In the circumstances, we admit this application and dispose of the same with the direction to the second respondent to dispose of the representation of the applicant dated 2.12.92 at Annexure-IX after taking into account the judgment of this Tribunal dated 2.9.92 in O.A. 684/91 at Annexure-XI. The representation should be disposed of

and the decision communicated to the applicant with a speaking order within a period of three months from the date of receipt of a copy of this order. In case the above said representation is not readily available with the second respondent, a copy thereof available at Annexure IX should be disposed of on the above lines. There is no order as to costs.



(AV Haridasan)
Judicial Member


1.4.93

(S.P. Mukerji)
Vice Chairman

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