

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.587/2003

Monday this the 13<sup>th</sup> March 2006

C O R A M:

HON'BLE SMT SATHI NAIR, VICE VICE CHAIRMAN  
HON'BLE MR GEORGE PARACKEN, JUDICIAL MEMBER

- 1 Defence Canteen Civil Employees Association  
Registered No.01-59, Paraniyam Chambers  
Vanchiyoor, Thiruvananthapuram-35.  
Represented by its General Secretary, C.V.Haridas  
aged 58 years, S/o Chellappan Pillai S.
- 2 K.S.Harikumar, aged 37 years, S/o Krishnan Nair  
Sale Attendant/Technician  
N.C.C Group Head Quarter Canteen  
Thiruvananthapuram.
- 3 K.G.Mathaikutty, aged 55 years, S/o Itty George  
Assistant Manager, NCC Group Head Quarters Canteen  
Thiruvananthapuram.
- 4 C.V.Haridas, aged 58 years, S/o Cehllappan Pillai S,  
Sale Attendant/Technician (Retired)  
NCC Group Head Quarters Canteen  
Backery Junction, Thiruvananthapuram.

(By Advocate Mr.N.Nandakumara Menon)

Applicants

Vs.

- 1 Union of India represented by the Secretary  
Ministry of Defence, New Delhi.
- 2 The Chairman, Unit Run Canteen  
NCC Group Head-quarter, Backery Junction  
Thiruvananthapuram.
- 3 The Director, NCC Directorate (K&L)  
Cotton Hill Bungalow, Thiruvananthapuram.


(By Advocate Mr.TPM Ibrahim Khan, SCGSC)

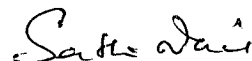
Respondents.

HON'BLE SMT SATHI NAIR, VICE CHAIRMAN

By order dated 28.2.06 the Application was restored and the counsel for the applicants granted last chance to argue the matter and posted on 7.3.06. None appeared on

behalf of the applicant on 7.3.06 and today also none appeared on behalf of the applicants. The O.A is dismissed in default for non-prosecution.

  
(George Paracken)  
Judicial Member

  
(Sathi Nair)  
Vice Chairman

kkj

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

Original Application No.587/2003.

Thursday this the 25<sup>th</sup> day of May, 2006.

**CORAM:**

**HON'BLE MR. N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER  
HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER**

1. Defence Canteen Civil Employees Association  
Registered No.01-59,  
Paraniyam Chambers, Vanchiyoor,  
Thiruvananthapuram – 35.
  2. K.S.Harikumar,  
Sale Attendant/Technician,  
N.C.C.Group Head Quarter Canteen  
Thiruvananthapuram.
  3. K.G.Mathaikutty,  
Assistant Manager,  
N.C.C.Group Head Quarter Canteen,  
Thiruvananthapuram.
  4. C.V.Haridas,  
Sale Attendant/Technician(Retired),  
N.C.C.Group Head Quarter Canteen,  
Backery Junction,  
Thiruvananthapuram.
- ... Applicants

By Advocate Shri N.Nandakumara Menon  
represented.

V/s.

1. The Union of India represented by the Secretary,  
Ministry of Defence,  
New Delhi.
2. The Chairman Unit run Canteen,  
N.C.C.Group Head Quarter,  
Backery Junction,  
Thiruvananthapuram.



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3. The Director,  
N.C.C. Directorate K & L)  
Cotton Hill Bungalow,  
Thiruvananthapuram-695 010. ... Respondents

By Advocate Shri TPM I Khan SCGSC

This O.A. having been heard on 25<sup>th</sup> May 2006 the Tribunal on the same day delivered the following:

**ORDER**

**HON'BLE SHRI N. RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

The learned counsel for the applicant represents that he has prayed for the following reliefs in the OA.

A. This Hon'ble Tribunal may kindly be pleased to call for the records and to declare that the reversion and degradation of the Applicants 2-4 and other similarly situated employees from their respective posts on the basis of the re-classification of posts ordered by the respondents with effect from 1/6/2001 in the N.C.C. Group Canteen at Trivandrum as illegal and void.

B. This Hon'ble Tribunal may kindly be pleased to quash Annexure A4 and A7 orders.

C. This Hon'ble Tribunal may kindly be pleased to direct the respondents to post the applicants in their respective posts held by them as on 1/6/2001, the date on which Annexure A1 Rules were implemented by the respondents in the revised scale of pay.

D. This Hon'ble Tribunal may kindly be pleased to issue appropriate directions to the respondents not to fill up the posts of Manager and Assistant Manager in the Unit run Canteen in the N.C.C. Head Quarters at Trivandrum with service personel, by making extra duty payment (EDA)

2. Out of the above, the relief at A, B, and C have been complied with as admitted by the applicant and what is presently subsisting is the relief at 'D' with regard to the Applicants 2 to 4 and the grievances relating




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to other similarly situated employees as referred to in ground (A). They will be satisfied if a direction is given to the respondents concerned consider the representation relating to the subsisting grievances for disposal within a given time frame. Learned counsel for the respondents has no objection in pursuing this course of this action. Hence, it is directed that the applicant may file a representation on the subsisting grievances to the appropriate authorities within two weeks from the date of receipt of copy of this order and the respondents concerned shall dispose it of appropriately and duly within a period of two months time thereafter with a speaking order.

With this direction the OA is disposed of. No costs.

  
GEORGE PARACKEN  
JUDICIAL MEMBER

  
N. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER

abp