

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.591/05

Tuesday this the 9th day of August 2005

C O R A M :

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

N.Veeranan,
S/o.Nondi,
Senior Fitter,
Central Institute of Fisheries, Nautical & Engineering Training,
(CIFNET), Kochi.
Residing at No.5/26, IFP Quarters, Kochi – 18.Applicant

(By Advocate Mr. T.C.Govindaswamy)

Versus

1. Union of India represented by Secretary
to the Govt. of India, Ministry of Agriculture,
Department of Animal Husbandry & Dairying,
New Delhi.
2. The Director,
Central Institute of Fisheries, Nautical & Engineering Training,
Kochi.Respondents

(By Advocate Mrs. Mariam Mathai,ACGSC)

This application having been heard on 9th August 2005 the Tribunal
on the same day delivered the following :

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant who is presently working as a Senior Fitter in scale
Rs.3200-4900/- under the 2nd respondent is aggrieved by the denial of first
financial upgradation in scale Rs.4500-7000/- and the second financial
upgradation in scale Rs.5500-9000/- under the Assured Career
Progression Scheme introduced by the Government of India, though the
same has been granted to similarly situated employees in the skilled
artisan category. Therefore the applicant has filed O.A seeking the
following reliefs :-

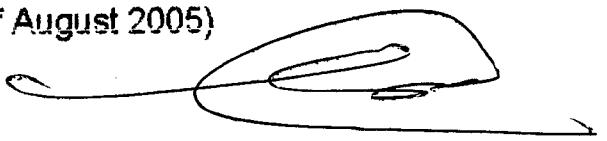
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1. Declare that the applicant is entitled to be granted the first financial upgradation in the scale Rs.4500-7000/- and the second financial upgradation in scale Rs.5500-9000/- under the Assured Career Progression Scheme and direct the respondents to grant the said benefits to the applicant with effect from the dates from which the same fall due to the applicant.
2. Declare that non feasance on the part of the first respondent to take a final decision on Annexure A-1 and to communicate the same to the applicant is arbitrary, discriminatory and unconstitutional.
3. Direct the first respondent to take a final decision on Annexure A-1 and to communicate the same to the applicant within a time limit as may be found just and proper.

2. When the matter came up for hearing Shri.T.C.Govindaswamy appeared for the applicant and Smt.Mariam Mathai,ACGSC appeared for the respondents. Counsel for the applicant submitted that the applicant has already filed a representation (Annexure A-1) putting forward all his grievances through proper channel to the 1st respondent and submitted that he will be satisfied if a direction is given to the said respondent to consider and dispose of Annexure A-1 representation. Counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. In the light of what is stated above and in the interest of justice, this Court directs the 1st respondent or any other competent authority to consider and dispose of Annexure A-1 representation of the applicant and give him an appropriate reply within a period of three months from the date of receipt of a copy of this order. The O.A is disposed of at the admission stage itself. In the circumstances, no order as to costs.

(Dated the 9th day of August 2005)



K.V.SACHIDANANDAN
JUDICIAL MEMBER