

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.600/2005

Tuesday this the 16th day of August, 2005.

CORAM:

**HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

Mohanachandran N.K., L.D.C.,
S/o Kunjikrishna Pillai,
Passport Office, Trivandrum, residing at
Hemantham, Kavuvila, Pothencode P.O.,
Trivandrum. Applicant

(By Advocate Shri M.R.Sudheendran)

Vs.

1. Union of India, represented by the Secretary, Ministry of External Affairs, Government of India, New Delhi.
2. The Joint Secretary (CPV) & Chief Passport Officer, Ministry of External Affairs, New Delhi.
3. The Regional Passport Officer, Regional Passport Office, Thiruvananthapuram.

(By Advocate Shri TPM Ibrahim Khan, SCGSC)

the The application having been heard on 16.8.05,
Tribunal on the same day delivered the following

ORDER(Oral)

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

The claim of the applicant is that he commenced his service as Casual Labourer in the Passport Office, Trivandrum in the year 1992. It is averred in the O.A. that in the order of the Tribunal in an identical matter in O.A.781/93, the similarly situated employees were granted regularisation by directing the Staff Selection Commission to conduct an examination/test. It is also contended that, in O.A.Nos.1557/98 & 436/05 this tribunal had extended the same benefit to the applicants therein. The applicant submitted that, he had appeared for the examination in 1993 and was appointed as LDC in 1994. The grievance of the

applicant is that, he has not been regularized with effect from the date of his initial engagement. The applicant has submitted a representation dated 30.6.2005(A4) to the 2nd respondent which is still pending consideration of the respondents. Aggrieved by the inaction on the part of the respondents, the applicant has filed this O.A. seeking the following main reliefs:

1. To declare that the applicant is entitled to be regularised in service as LDC's with effect from 3.8.1992, the date of his initial appointment as Casual Labourer.
2. Direct the respondents to regularize the applicant as LDC with effect from 3.8.1992 with all consequential benefits including fixation of pay, arrears of pay and allowances consequent to the fixation of pay, counting of service for the purpose of Grade promotion etc., except seniority.
2. Mr. MR. Sudheendran, learned counsel appeared for the applicant and Shri TPM Ibrahim Khan, SCGSC appeared for the respondents. Learned counsel for the applicant submitted that the applicant would be satisfied if a limited direction is given to the 2nd respondent to consider and dispose of the representation (A4) with reference to the extant rules on the subject. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.
3. In the interest of justice, we direct that the 2nd respondent or any authority competent shall consider and dispose of the representation (A4) of the applicant within a time frame of three months from the date of receipt of a copy of this order.
4. O.A. is disposed of as above. In the circumstances no order as to costs.

Dated the 16th August, 2005.



N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER