

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.619/2000

Thursday this the 11th day of July, 2002.

CORAM

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

A.P.Attakoya
S/o Aboobacker Koya
Revenue Inspector
Survey & Settlement (Land Revenue)
Department, Chethalath Island.
Residing at Chethalath Island
UT of Lakshadweep.

Applicant.

(By advocate Mr.P.V.Mohanam)

Versus

1. The Administrator
U.T.of Lakshadweep
Kavarathi.
2. The Collector cum Development Commissioner
U.T.of Lakshadweep.
3. Union of India rep. by
The Secretary
Ministry of Home Affairs
New Delhi.

Respondents.

(By advocate Mr.S.Radhakrishnan, ACGSC for R1-2)

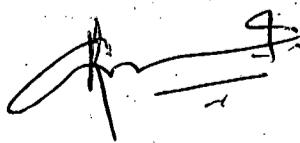
The application having been heard on 11th July, 2002, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant filed this Original Application seeking the following reliefs:

- i. To call for the records leading to Annexure A-5 and A-7 and set aside the same.
- ii. To call for the records leading to A-2 amendment of the Recruitment Rule and set aside the same in so far as it is included Revenue Inspectors as 2nd feeder category only for promotion to the category of Assistant Settlement Officer in the absence of U.D.Clerks and other equated categories.
- iii. To call for the records leading to A-3 amendment of the Recruitment Rules and set aside the same in so far as it fixes pass in typewriting speed test conducted by Administration as eligibility for promotion to the category of Assistant Settlement Officer.



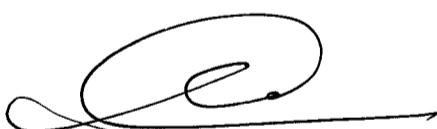
iv. To direct the respondents to consider the promotion of the applicant to the category of Assistant Settlement Officer forthwith considering the post of Revenue Inspector as feeder category No.1 for promotion as Assistant Settlement Officer.

v. Any other appropriate order or direction as this Hon'ble Tribunal may deem fit in the interest of justice.

2. When the OA was taken up for hearing today, both counsel submitted that the reliefs sought for through this OA are similar to the reliefs sought for by another applicant in OA 364/00 which has already been decided by this Tribunal and the order passed by this Tribunal in OA 364/00 dated 8.8.02 would squarely apply to the facts and circumstances of this case also. We find from the order of this Tribunal in OA 364/00 that the said OA was dismissed by this Tribunal.

3. In the light of the above submissions made by the counsel on both sides and following the order of this Tribunal in OA 364/00, this OA is only to be dismissed. Accordingly, we dismiss this OA with no order as to costs.

Dated 11th July, 2002.



K.V. SACHIDANANDAN
JUDICIAL MEMBER



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the Recruitment Rule of 1973.
2. A-2: True copy of the Recruitment Rule of 1988.
3. A-3: True copy of the Notification dated 17.12.1990.
4. A-4: True copy of the representation dated 20.3.1999.
5. A-5: True copy of the proceeding F.No.1/25/98-LR/Estt. dated 9.7.1999.
6. A-6: True copy of the representation dated 23.1.2000.
7. A-7: True copy of the proceeding F.No.1/25/98-LR/Estt. dated 26.2.2000.

Respondents' Annexures:

1. R-1: A true copy of the Notification F.No.12/94/73-Service (1) dated 6.9.73.
2. R-2: A true copy of the Notification F.No.12/54/76 Service dated 7.6.76.
3. R-3: A true copy of Notification F.No.12/14/88-Service (1) dated 28.4.88.
4. R-4: A true copy of Notification F.No.12/32/87-Service dated 21.8.87.

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12.7.02