

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

76/2005 @  
O.A.No. 76/2004.

Wednesday this the 2nd day of February 2005.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER  
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

1. Dr. Johny Thomas,  
Lecturer in Botany, Government Mahatma Gandhi  
Senior Secondary School  
Androth, UT of Lakshadweep.
2. K.M.Sayed,  
Lecturer in History, -do-
3. K.Cheriya Koya,  
Lecturer in Economics -do-
4. P.I.Mohammed Iqbal,  
Lecturer in Zoology, -do-
5. Dr.M.Koyamma Koya,  
Lecturer in Malayalam, -do-
6. Jacobe Varkey,  
Lecturer in Commerce, -do-
7. Shamsuddin M.K.,  
Lecturer in Arabic, -do-
8. K.Attakoya,  
Lecturer in Physical Education, -do-
9. Mohanan Mangalassery,  
Lecturer in English, -do-
10. P.P.Chandrasekharan,  
Lecturer in Hindi -do-
11. Saju Thomas A.,  
Lecturer in Mathematics -do-
12. M.Attakoya,  
Lecturer in Arabic Jawaharlal Nehru Senior  
Secondary School, Kadamath,  
U.T.of Lakshadweep.
13. M.~~A~~.Abdul Hameed Koya,  
Lecturer in English -do-
14. Asar Palsingh,  
Lecturer in History, -do-
15. Sivadhar Tiwary,  
Lecturer in Botany, -do-
16. K.Muhammed,  
Lecturer in History, -do-

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|-----|---|------|
| 17. | K.Hajarommabi,<br>Lecturer in Chemistry,        | -do- |
| 18. | George A.O.,<br>Lecturer in Commerce,           | -do- |
| 19. | M.C.Mohammed,<br>Lecturer in Hindi,             | -do- |
| 20. | K.P.Mohammed Koya,<br>Lecturer in Physics       | -do- |
| 21. | Dr.M.Mullakoya.<br>Lecturer in Malayalam,       | -do- |
| 22. | G.K.Mohammed,<br>Lecturer in Economics          | -do- |
| 23. | P.S.Attakoya,<br>Lecturer in English,           | -do- |
| 24. | Khaleelulla Polakkadam,<br>Lecturer in Zoology, | -do- |
| 25. | C.Rajendiran,<br>Lecturer in Mathematics,       | -do- |
| 26. | Tom Mathew,<br>Lecturer in Physical Education,  | -do- |
| 27. | N.Venugopal,<br>Lecturer in Physics             | -do- |
| 28. | Ravindranathan E,<br>Lecturer in Commerce,      | -do- |
| 29. | Jacob Thomas P.,<br>Lecturer in Chemistry,      | -do- |
- Applicants

(By Advocate Shri. TA Rajan)

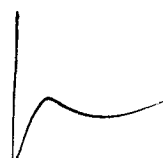
Vs.

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|----|--|-------------|
| 1. | Union of India, represented by<br>the Secretary to Government of India,<br>Ministry of Human Resources Development,<br>Department of Education, New Delhi. |             |
| 2. | The Administrator,<br>Union Territory of Lakshadweep, Kavarathi.   |             |
| 3. | The Director of Education,<br>Union Territory of Lakshadweep,<br>Kavaratti.  | Respondents |

(By Advocate Shri Thomas Mathew Nellimoottil)(R.1)

(By Advocate Shri S.Radhakrishnan(R.2&3)

The application having been heard on 2.2.2005,  
the Tribunal on the same day delivered the following:



O R D E R (Oral)

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

There are totally twenty nine applicants out of whom eleven applicants are working as Lecturers in the Government Mahatma Gandhi Senior Secondary School, Androth and the other applicants are working as Lecturers in the Jawaharlal Nehru Senior Secondary School, Kadamath. They are now in the pay scale of Rs.8000-13500. The Government had reclassified all the posts under the Union as per Annexure A-5 order. The Central Civil posts carrying a pay or a scale of pay with a maximum of not less than Rs.13500/- were reclassified as Group'A' post. But the post of the applicants were not treated as Group'A' post despite their repeated representations and the last representation is dated 20.10.2003(A8) which is also not yet responded to. Aggrieved by the said inaction on the part of the respondents the applicants have filed this O.A. seeking the following main reliefs:

- i) Declare that non-classification of the post of Lecturers in scale of pay of Rs.8000-13500 in the Union Territory of Lakshadweep as Group'A' is arbitrary, illegal and also against Annexure A5 notification.
- ii) Direct the respondents to reclassify the post of Lecturers in scale of pay of Rs.8000-13500 in the Union Territory of Lakshadweep as Group 'A' posts.
- iii) Direct the 2nd respondent to consider and dispose of Annexure A-8 representation of the first applicant and similar representations of other applicants at the earliest.

2. When the matter came up before the Bench Shri TA Rajan, learned counsel appeared for the applicant, Shri Thomas Mathew Nellimoottil, learned counsel appeared for R-1 and Shri S.Radhakrishnan, learned counsel appeared for respondents 2&3. Learned counsel of the applicants submitted that the applicants

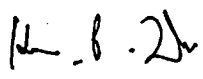


would be satisfied if the 2nd respondent is directed to consider and dispose of the representation (A8) within a time frame. Learned counsel for the respondents have no objection in adopting such a course of action.

3. In the interests of justice, this Court directs the 2nd respondent to consider and dispose of the representation (A-8) and pass appropriate orders within a time frame of two months from the date of receipt of a copy of this order.

4. O.A. is disposed of as above. In the circumstance, no order as to costs.

Dated the 2nd day of February 2005.

  
H.P.DAS  
ADMINISTRATIVE MEMBER

  
K.V.SACHIDANANDAN  
JUDICIAL MEMBER

rv

④ correction carried out  
as per order dated 5.8.05  
in C.P.C. 40/05 in SH 76/05.  
R.D.