

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.84/2008
Dated the 31st day of October, 2008

CORAM:

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER

N.P.Cheriyakoya
Neelathupura,
Androth Island,
Accountant, Police Headquarters,
Kavaratti

By Advocate Mr E.S.M.Kabeer

V/s

- 1 The Administrator,
Union Territory of Lakshadweep,
Kavaratti
- 2 The Secretary (Pay and Accounts)
Principal Pay and Accounts Office,
Kavaratti
- 3 T.Ahamedkoya
Accountant,
Dy Controller Office,
Agatti

By Advocate Mr.S.Radhakrishnan

This application having been heard on 31st October, 2008, the Tribunal on the same day delivered the following

(ORDER)

Hon'ble Dr.K.B.S.Rajan, Judicial Member

The applicant has challenged the Annexure A-1 and A-2 orders. As per the Annexure A-1 order he stands posted on deputation on usual terms and conditions as Junior Accounts Officer in Pay & Accounts Office, Field Pay Unit.

Chellat. As per the Annexure A-2, respondent no.3 stands posted to Field Pay Unit, Pay and Accounts Office, Kochi. According to the applicant, for medical treatment of his family members, he had applied for posting to Kochi vide Annexure A-4 which has not been considered. The grievance of the applicant is further to the extent that the person posted at Kochi is junior to the applicant.

Respondents have contested the OA. According to them, the applicant declined the deputation posting to the Field Pay Unit, Chellat. His request for post of FPU Kochi has been rejected as the same requires more experienced person. At the same time it has been conceded by the respondents, that the person at FPU, Kochi is junior to the applicant.

The counsel for the applicant submits that if Annexure A-4 be considered in the proper perspective, he should have been accommodated in Kochi. Counsel for respondents submitted that the post at Kochi involves heavy workload and responsibility and duty and warrants a more efficient person to command the post. According to the counsel, the third respondent stands already qualified in the Junior Accounts Officer Exam Part I and II conducted by the Comptroller General of Accounts (CGA). The applicant did not qualify in the same. Thus, notwithstanding the fact that Respondent no.3 is junior to the applicant, he has been found more suitable to command the post at Kochi.

We do not find any legal infirmity in the order nor do we find any vested right of the applicant hampered by the action of the respondents. The OA accordingly fails and is dismissed. No costs.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


K.B.S. RAJAN
JUDICIAL MEMBER

abp