

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 91 of 2004

Friday, this the 6th day of February, 2004

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. C. Muraleedharan,
S/o M. Kumara Menon,
Leading Hand Fire (SG), Fire Station,
Naval Armament Depot, Alwaye,
residing at H.No.E-86/7 'Periyar Vihar',
Ambalapady, NAD PO,
Alwaye - 683 563Applicant

[By Advocate Mr. Shafik M.A]

Versus

1. Union of India represented by
Secretary to the Government of India,
Ministry of Defence, New Delhi.
2. The Flag Officer Commanding in Chief,
Southern Naval Command, Cochin.
3. The General Manager,
Naval Armament Depot, Alwaye.
4. K.C. Rajasekharan Pillai,
Fire Engine Driver, NAD, Alwaye. Respondents

[By Advocate Mr. C. Rajendran, SCGSC (R1 to R3)]

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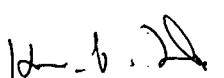
The applicant, who is a Leading Hand Fire (Selection Grade) and who has been serving under the 2nd respondent for the last 12 years, is aggrieved that he has not been included in the panel for promotion to the post of Supervisor (Fire) despite the fact that as a Leading Hand fire he is discharging supervisory functions and the 4th respondent, who has been placed in the panel, is only an Engine Driver, who has no role in supervision. Detailing all these things, the applicant has made a representation to the 2nd respondent (Annexure A4).

which is yet to be considered and disposed of. In the meanwhile, the applicant apprehends that on the basis of Annexure A1 panel the only vacancy that would arise on 28-2-2004 in the post of Supervisor (Fire) would be filled. Hence, the applicant has filed this application seeking to set aside Annexure A1 panel and for a direction to the respondents to regularise the intake of personnel to the post of Supervisor (Fire) by experienced personnel after evaluating all factors declaring that the applicant is entitled to be considered and included in the panel for promotion to the post of Supervisor (Fire).

2. When the application came up for hearing on admission, Shri C.Rajendran, learned SCGSC took notice on behalf of respondents 1 to 3.

3. After hearing the learned counsel on either side and as agreed to by the counsel, the Original Application is disposed of at this stage directing the 2nd respondent to consider the representation (Annexure A4) submitted by the Applicant in the light of the Recruitment Rules and other relevant factors and to give the applicant an appropriate reply as expeditiously as possible and keeping in abeyance the filling up of the vacancy in the post of Supervisor (Fire) that would arise on 28-2-2004 till an order on the representation is served on the applicant. There is no order as to costs.

Friday, this the 6th day of February, 2004


H.P. DAS

ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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