

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.101/04

Monday this the 9th day of February 2004

C O R A M :

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

N.P.Saleena Beegum,  
W/o.Mujeeb Rahman,  
Former Auxiliary Nurse cum Midwife,  
Primary Health Centre, Kiltan Island,  
U.T. of Lakshadweep.

Applicant

(By Advocate Mr.Shafik M.A.)

Versus

1. Union of India represented by  
the Secretary,  
Ministry of Health & Family Welfare,  
New Delhi.
2. The Administrator,  
UT of Lakshadweep, Kavaratti.
3. The Director of Health Services,  
UT of Lakshadweep, Kavaratti.

Respondents


(By Advocate Mr.George Joseph,ACGSC & Mr.S.Radhakrishnan)

This application having been heard on 9th February 2004  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant was appointed as Auxiliary Nurse cum Midwife in the Public Health Centre, Kiltan, Island of Lakshadweep. Her service was terminated by Annexure A-2 order under Sub-Rule (1) Rule 5 of the CCS (Temporary Service) Rules, 1965. Although the applicant challenged the termination by filing O.A.863/99, the application was dismissed and the O.P. filed against that before the Hon'ble High Court of Kerala was also dismissed. The termination <sup>service of</sup> of the applicant was on the ground that the institution from which she qualified was not recognised by the Government. Now that the applicant has acquired the necessary

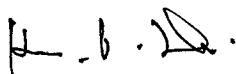


qualification from the recognised institution the applicant submitted Annexure A-8 representation seeking either re-induction or re-appointment. This representation was submitted by the applicant taking cue from the Annexure A-7 order by the 1st respondent in almost similar case.

2. When the application came up for hearing on admission Shri.George Joseph took notice on behalf of the 1st respondent and Shri.S.Radhakrishnan on behalf of Respondents 2-3. Learned counsel of the applicant submitted that Smt.K.P.Umaiban similarly situated like the applicant had filed O.A.18/04 which was disposed of, with the consent of the parties, with a direction to the respondents to consider the representation and to give her an appropriate reply and pleaded that the same course may be taken in this case also. Learned counsel for the respondents also submitted that this application may also be disposed of in the similar manner that of the O.A. filed by Smt.K.P.Umaiban as the applicant is identically situated.

3. Under these circumstances and in the light of the submissions made by the learned counsel on either side the application is disposed of directing the 1st respondent to consider the Annexure A-8 representation of the applicant and to give her an appropriate reply within a period of three months from the date of receipt of a copy of this order. No costs.

(Dated the 9th day of February 2004)



H.P.DAS  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN