

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
OA NO.104/2007

Friday this the 16th day of February, 2007.

CORAM:

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

M.V.Somasundaram

Superintendent of Police,

Vigilance and Anticorruption

Bureau Special Cell,

Kozhikode.

... Applicant

By Advocate Mr.P.V.Mohanam

V/s.

1. Union of India
Represented by Secretary to Government
Ministry of Home Affairs,
New Delhi

2. State of Kerala,
Represented by Chief Secretary
Government Secretariat,
Thiruvananthapuram

3. The Accountant General (A&E)
Kerala P.B.No.5607, MG Road,
Thiruvananthapuram.

... Respondents

By Advocate Mr.Shaji V.A. For Mr.TPM I Khan SCGSC (R-1)
Mr.R.Premasankar (R 2-3)

The application having been heard on 16.2.2007 the Tribunal delivered the following on the same day:

Hon'ble Mrs.Sathi Nair, Vice Chairman

(ORDER)

The applicant herein was appointed to the IPS in the Kerala Cadre by order dated 17/4/2005. By Annexure A-1 notification dated 8/4/2004, the applicant was included in the Select List and by Annexure A-3 order dated 28/7/2005, he was given the year of allotment as 1997. He joined duty in IPS cadre on 21/4/2004. The applicant retired from the State Service on 30/4/2002. The applicant in this OA prays for the following reliefs:-

To direct the respondents to regularize the period from 1/5/2002 to 20/4/2004 as on duty for all purposes including pay and allowances and disburse the arrears of pay to the applicant forthwith.

To direct the respondents to consider and dispose of Annexure A 6, A8 and Annexure A9 in the light of Annexure A 10, A 11, A 12 and Annexure A 13.

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

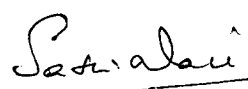
2. For regularising above the period from 1/5/2002, after the date of retirement from State Service up to the date of resuming duty in IPS on 21/4/2004, he has submitted the representations at Annexures A-6, A-8 and Annexure A-9 also citing similar cases wherein such relief was given.

3. When the matter came up, counsel for applicant submitted that the applicant is due for retirement on 30/4/2007 and therefore seeking expeditious consideration of his representation.

4. Mr.R.PremSankar G.P., counsel for the State Government takes notice.

5. We are disposing of this OA with consent of both parties directing that the entire OA papers be forwarded to the 2nd respondent for consideration of the applicant's representations taking into account all the grounds mentioned in the OA. The respondents shall dispose of the representations of the applicant at Annexures A-6, A-8 and A-9 by a speaking order well before the date of his retirement. No costs.


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

abp