

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 107 of 1993.

DATE OF DECISION 03-02-1993.

Dr. C. R. Mohan Kumar and four Applicant (s)
others

Mr. R. Rajasekharan Pillai Advocate for the Applicant (s)

Versus

Secretary, Indian Council of Agriculture Research, New Delhi and others Respondent (s)

Mr. Jacob Varghese rep. Advocate for the Respondent (s)
through Ms. Usha K. Pillai (proxy counsel)

CORAM :

The Hon'ble Mr. S.P. Mukerji, Vice Chairman
and

The Hon'ble Mr. A.V. Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

(Hon'ble Shri S.P. Mukerji, Vice Chairman)

We have heard the learned counsel for the applicants in this case in which the applicants have challenged the impugned order at Annexure-F dated 11.12.92. Para 3 of Annexure-F reads as follows:-

"3. The above appointments are further subject to final decision to be taken on the recommendations of the High powered committee constituted vide office order No.10-11/92-Per. IV dated the 12th May, 1992 as per decision contained in the judgment dated 28.1.1992 of the Central Administrative Tribunal, Principal Bench, New Delhi on the Transfer Application No.8/1990 with Civil Miscellaneous Petition No.1118/89 & Civil Writ Petition No.1192 of 84."

2. From the above it is clear that the appointments made in the impugned order in which the applicants are challenging ^{are} subject to the outcome of the recommendations of the High Powered Committee. If the applicants are aggrieved by the manner in which the decision is being implemented or likely to be implemented, they can make representations to the ICAR or to the High Powered Committee constituted. Unless the decision of the ICAR based on the recommendations of the High Powered Committee are available, we feel that no intervention by this Bench of the Tribunal is called for. The application ~~xx~~ being premature is dismissed under Section 19(3) of the Administrative Tribunals Act.


(AV Haridasan)

Judicial Member


SP / 3.2.93
(SP Mukerji)

Vice Chairman

3-2-93

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