

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

ORIGINAL APPLICATION No.115/2013

WEDNESDAY, the 25th FEBRUARY, 2015

CORAM:

HON'BLE Mr.U. SARATHCHANDRAN, JUDICIAL MEMBER

Sakthi, Aged 22, S/o late N. Purushothaman Pillai, residing at Nagacode Veedu, Pulukal P.O.-629170, Pulukal Village, Vilavancode Taluk, Kanyakumari District, Tamil Nadu. Applicant

(By Advocate Mr. T.G. Lallulal)

vs.

1. Director, Zoological Survey of India, M-Block, New Alipur, Kolkatha-53.
2. Officer-in-charge, Zoological Survey of India, Western Ghat Regional Centre, Kozhikode-673001. Respondents

(By Advocate Mr. Varghese P. Thomas, ACGSC)

This Original Application having been heard on 25.02.2015, this Tribunal on the same day delivered the following.

ORDER

Heard Mr. T.G.Lallulal, learned counsel for applicant and Mr. Varghese P. Thomas, ACGSC for respondents.

2. According to the applicant his father Shri N. Purushothaman Pillai, while working as Lab Attendant at Zoological Survey of India, Western Ghat Regional Centre, Kozhikode, died on 12.4.2010. The grievance of the applicant is that he was not considered by the respondents for employment under the dying-in-harness scheme though his mother had submitted Annexure A-3 representation through proper channel to the 2nd respondent on 6.5.2010. According to respondents, applicant is not entitled to get appointment under the dying in harness scheme. Applicant states that his entitlement for employment under the

dying -in-harness Scheme has been clearly stated in Annexure A-3. It appears that the respondents have not taken any decision on Annexure A-3 representation submitted by the applicant's mother. It is seen that subsequent to Annexure A-3, the legal heirs of the deceased Shri N. Purushothaman Pillai has filed Annexure A-4 and A-5 affidavits stating that they have no objection to give employment to the applicant under the Dying-in-harness scheme.

3. In the above circumstances, this Tribunal is of the view that the O.A. can be disposed of with a direction to the 1st respondent to consider Annexure A-3 representation in accordance with the extant policy and administrative instructions and to pass appropriate orders thereon after giving a personal hearing to the applicant. This exercise shall be completed within three months from the date of receipt of a copy of this order. It is further directed that the 1st respondent shall consider all the records produced in this O.A. also while taking a decision on Annexure A-3 representation filed by the applicant's mother.

4. Ordered accordingly. No costs.


(U. SARATHCHANDRAN)
JUDICIAL MEMBER

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