

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 116 of 2005

Tuesday, this the 22nd day of February, 2005

CORAM

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

1. Joseph George,
S/o Shri George Joseph,
Assistant Finance & Accounts Officer,
Regional Centre of CMFRI, Mandapam
[Presently residing at Type III/4 Quarters,
CMFRI Residential Complex, Kochi]

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Applicant

[By Advocate Shri T.C. Govindaswamy]

Versus

1. Director General,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi - 110 001
2. Secretary,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi - 110 001
3. Director,
Central Marine Fisheries Research Institute,
Post Box No. 1603, North Post Office,
Ernakulam.

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Respondents

[By Advocate Shri T.P. Sajan]

The application having been heard on 22-2-2005, the
Tribunal on the same day delivered the following:

ORDER

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

The grievance of the applicant, Assistant Finance & Accounts Officer in Central Marine Fisheries Research Institute, is that even though the order of his suspension was set aside by this Tribunal by its order in OA No.783/2003 on the ground that there was no departmental proceedings or criminal case pending, the

sealed cover in which the recommendations of the Departmental Promotion Committee in his case was kept has not been opened. The applicant has made representations on 24-11-2003 and on 21-1-2004 (Annexure A4 and A5 respectively) to the 1st respondent but the same has not been considered and disposed of. Therefore, the applicant has filed this application for a direction to the respondents to open the sealed cover containing the recommendations of the Departmental Promotion Committee and to grant him the benefit of promotion with consequential benefits.

2. When the application came up for hearing, Shri T.P. Sajan, learned counsel appeared for the respondents. Counsel agree that the application may be disposed of directing the 1st respondent to consider Annexure A4 and A5 representations and to give the applicant an appropriate reply within a short time.

3. In the light of the above submission made by the learned counsel on either side, we dispose of the Original Application at this stage directing the 1st respondent to consider Annexure A4 and A5 representations in the light of the rules, instructions and rulings on the subject and to give the applicant an appropriate reply within a period of two months from the date of receipt of a copy of this order. There is no order as to costs.

Tuesday, this the 22nd day of February, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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