

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 128 of 1993.

DATE OF DECISION 04-03-1993

P.K.Ravindran Applicant (s)

Mr. Shafik M.A. rep. Mr. Dandapani Advocate for the Applicant (s)

Versus

Union of India rep by Mini- Respondent (s)
stry of Information and Broadcasting and others

Mr. Ajith Prakash rep. SCGSC Advocate for the Respondent (s)

CORAM :

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

The Hon'ble Mr. N.Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

(Hon'ble Mr. N.Dharmadan, Judicial Member)

The applicant is a member of the Scheduled Caste community. He was appointed as Studio Executive in the All India Radio as per Annexure-I order dated 8.10.64. ~~When~~ He was selected through the Public Service Commission for appointment as Programme Executive in the All India Radio ^{and} after appointment he was transferred to Calicut and later posted in the Commercial Broadcasting Service of Trivandrum in the same capacity on 21.5.91. The applicant is aggrieved by the promotion given to his junior without following the Recruitment Rules ~~and~~ ^{and} the quota earmarked for the post. He filed Annexure-VIII

representation before the Director General (2nd respondent) stating all the details and claiming promotion earlier to his junior. As the representation though filed on 27.11.91 has not been disposed of so far, he has filed this application under Section 19 of the Administrative Tribunals Act with the following prayers:


- i) direct the respondents to promote the applicant as Assistant Station Director on a date prior to Ann.IV and V whereby his juniors in the category of Staff Artists have been promoted and give him all consequential benefits;
- ii) declare that the applicant is entitled to promotion as Assistant Station Director on a date prior to Annexures IV and V when his juniors in the category of Staff Artists were given promotion;
- iii) direct the 2nd respondent to consider and dispose of Annexure-VIII forthwith; "


2. At the time when the case came up for admission on 22.1.93 we directed the respondents' counsel to get details as to whether the representation Annexure-VIII is even now pending and what is the reason by which it has not been disposed of so far. The learned counsel did not file any statement indicating reasons, even though three postings were given for that purpose.

3. Today, when the case was taken up for admission, the learned counsel for the respondents also agreed that the application can be disposed of directing the second respondent to consider Annexure-VIII representation and pass orders on the same.

4. Having heard the learned counsel on both sides, we are satisfied that the interest of justice requires that a direction as prayed for in the application is to be issued in this case. In this view of the matter, we admit this application and dispose of the same directing the second respondent to consider Annexure-VIII representation filed by the applicant and dispose of the same in accordance with law as expeditiously as possible at any rate within a period of two months from the date of receipt of a copy of this judgment.

5. The application is disposed of on the above lines. There is no order as to costs.


(N. Dharmadan) 4.3.93
Judicial Member


(S.P. Mukerji)
Vice Chairman

4-3-93

ks43.