

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH  
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OA 143/99

Tuesday, the 5th June, 2001.

CORAM

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER

U.P. Mohammed,  
S/o B. Koyamma, aged 46 years,  
Sub Inspector of Police(Wireless),  
Kavaratti, Union Territory of Lakshadweep.  
(Residing at 'Umbrampappaba', Kalpeni).      Applicant

(By Advocate Mr. M.R. Rajendran Nair)

Vs

1. The Superintendent of Police,  
Union Territory of Lakshadweep,  
Kavaratti.
2. The Administrator,  
Union Territory of Lakshadweep.  
Kavaratti.
3. Union of India,  
represented by Secretary  
to Government of India,  
Ministry of Home Affairs,  
New Delhi.

Respondents

(By Advocate Mr. P.R. Ramachandra Menon)

The application having been heard on 5.6.2001, the  
Tribunal delivered the following on the same day.

ORDER

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

The applicant who is working as Sub Inspector of Police(Wireless), Kavaratti, Union Territory of Lakshadweep has filed this application aggrieved by the Annexure A-9 order dated 17.11.98 by which his claim for regular promotion as Sub Inspector(Wireless) from the date of occurrence of vacancy has been turned down on the ground that as per the recruitment rules promotion can be made only on failure of the method of

direct recruitment and then after the DPC recommends a person for promotion, the promotion can be made only prospectively and not retrospectively.

2. The respondents in the reply statement have stated that the applicant has since been promoted on regular basis as Sub Inspector(Wireless) by R-4 order dated 7.6.99. The learned counsel for the applicant states that the applicant would be satisfied if the applicant is permitted to make a representation claiming regularisation of his adhoc promotion as it was followed by regular promotion and the 2nd respondent is directed to consider and dispose the same with appropriate order within a reasonable time. Learned counsel for respondents have no objection in disposing the application with such a direction.

3. In the result, in the light of the statements of the counsel and noting that the applicant has already been promoted as Sub Inspector(Wireless) by R-4 order, we dispose this application permitting the applicant to make a representation to the 2nd respondent within one month from today regarding his claim for regularisation of adhoc promotion as Sub Inspector(Wireless) and with a direction to the 2nd respondent that if such a representation is received, the same shall be considered and disposed of in accordance with rules and within two months from the date of receipt of the representation. No order to costs.

This 5th day of June , 2001.

  
T.N.T. NAYAR,  
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN,  
VICE CHAIRMAN

List of Annexures referred in the Order :

Annexure A-9: True copy of the order dated 17.11.98  
F.No.1/5/94-Estt(POL)/ issued by the 2nd respondent.

Annexure R-4: True copy of F No.1/3/99-Estt.(Pol) dated 7.6.99  
issued by the 1st respondent.