

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 153 of 2011

Monday, this the 4th day of April, 2011

Hon'ble Justice Mr. P.R. Raman, Judicial Member
Hon'ble Ms. K. Noorjehan, Administrative Member

Saramma K.S., Formerly Deputy Collector,
Malappuram, Residing at Sreeragam, Mullampara,
Manjeri (P.O), Malappuram District-676121.

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Applicant

(By Advocate – Mr. P.K. Manoj Kumar)

V e r s u s

1. Union of India, represented by the Secretary to Government,
Ministry of Personnel, Public Grievance and Pension,
Department of Personnel and Training,
Central Secretariat, New Delhi-110001.
2. Union Public Service Commission,
Dholpur House, Shajahan Road, New Delhi-110001.
represented by its Secretary.
3. The Selection Committee for Selection to the Indian
Administrative Service, Constituted under Regulation 3 of the IAS
(Appointed by Promotion) Regulations 1955, represented by
it's Chairman, Union Public Service Commission, New Delhi-110001.
4. The State of Kerala, represented by the Chief Secretary,
Government of Kerala, Thiruvananthapuram-
695001.

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Respondents

**[By Advocate – Mr. Sunil Jacob Jose, SCGSC (R1),
Mr. Thomas Mathew Nellimoottil (R2&3) and
Mr. N.K. Thankachan, GP (R4)]**

ORDER

By Hon'ble Justice Mr. P.R. Raman, Judicial Member –

The relief claimed in the OA is for a direction to respondents Nos. 1 & 2 to
issue notification for appointment of the applicant to the IAS by promotion as per



the IAS (Appointment by promotion) Regulation, 1955 for the year 2008 from the select list 2008-A prepared by the select committee.

2. At the time of admission when the OA came up for consideration, after issuing notices we passed an interim order that the retirement of the applicant from State Service would not stand in the way of her being appointed by way of promotion to the cadre of IAS. When the matter came up for further consideration today, learned counsel appearing for the applicant submitted that a notification has been issued by the Government on 25th March, 2011 by appointing the applicant also to the IAS cadre.

3. Since the very relief sought for in the OA is for a direction to issue notification which has been done by the Government, there is no lis pending between the parties for adjudication as of now. All that is required is to clarify that since the claim for consideration arose during the period when the applicant was in service the retirement of the applicant will not adversely affect such claim for consideration. Hence, the interim order is only to that effect and we make the interim order absolute.

4. Original Application is disposed of as aforesaid. No costs.


(K. NOORJEHAN)
ADMINISTRATIVE MEMBER


(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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