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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.161/05

Tuesday this the 22nd day of March 2005

C O R A M :

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

Moammed Basheer M,
Moothakada House,
Andrott Island, UT of Lakshadweep.

...Applicant

(By Advocate Mr.N.Nagaresh)

Versus

1. Union of India represented by the Secretary,
Ministry of Home Affairs, Central Secretariat,
New Delhi.

2. Administrator,
Union Territory of Lakshadweep,
Kavaratti.

3. Director of Education,
Union Territory of Lakshadweep,
Kavaratti.

...Respondents

(By Advocate Mr.Shafik M.A.[R2-3])

This application having been heard on 22nd March 2005 the Tribunal
on the same day delivered the following :-

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is aggrieved by the omission on the part of the



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respondents in not bringing the recruitment rules for appointment to the post of Laboratory Assistant in consonance with the directions of the 1st respondent contained in OM dated 18.3.1988 has filed this O.A seeking the following reliefs :-

1. to declare that Annexure A-1 Laccadive Minicoy and Aminidivi Islands Education Department (Laboratory Assistant) Recruitment Rules, 1972 as also Annexure A-2 and Annexure A-3 are unconstitutional and null and void to the extent they prescribe 18-21 years as the age limits for direct recruitment to the post of Laboratory Assistant.
2. To direct the respondents 2 & 3 to consider the candidature of the applicant for direct recruitment to the vacancies of Laboratory Assistants notified in Annexure A-2 notification, without regard to the upper age limit prescribed therein.
3. To declare that the respondents are duty bound to bring Annexure A-1 rules also in conformity with OM No.AB 14017/12/87-Estt (RR) dated 18.3.1988 of the Govt. of India, Ministry of Personnel & Public Grievances.

2. When the matter came up for hearing Shri.N.Nagaresh appeared for the applicant and Shri.Shafik M.A. [R 2-3] appeared for the respondents. Learned counsel for the applicant submitted that Annexure A-6 representation dated 25.2.2005 is pending before the 2nd respondent and he will be satisfied if a direction is given to the respondents to consider and dispose of the representation within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

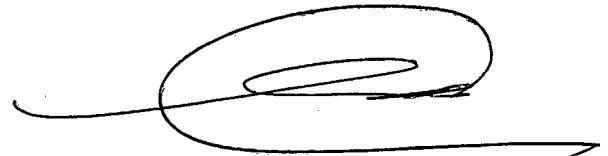


3. In the light of what is stated above and in the interest of justice the application is disposed of directing the 2nd respondent to consider and dispose of Annexure A-6 representation of the applicant within a period of two months from the date of receipt of a copy of this order. The O.A is disposed of at the admission stage itself. In the circumstances, no order as to costs.

(Dated the 22nd day of March 2005)

H. P. DAS
ADMINISTRATIVE MEMBER

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K.V.SACHIDANANDAN
JUDICIAL MEMBER