

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.165/05

Friday this the 4th day of March 2005

C O R A M :

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

P.K.Vargheese
Residing at Plammoottil House,
Kappilmekku, Krishnapuram,
Kayamkulam, Alappuzha District.

Applicant

(By Advocate Mr.R.Rajasekharan Pillai)

Versus

1. The Indian Council of Agricultural Research (ICAR),
represented by its Secretary, New Delhi.
2. The Director, Indian Council of Agricultural Research,
New Delhi.
3. The Head, Plantation Crops Research Institute,
Krishnapuram, Kayamkulam. Respondents

(By Advocate Mr.Santhosh Kumar)

This application having been heard on 4th March 2005 the Tribunal on the same day delivered the following :

ORDER

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

The applicant who had worked as Milkman during 1986-1991 and disengaged thereafter had approached the Tribunal earlier in more than one applications. The applicant filed O.A.1393/91 and the said O.A was disposed of directing the respondents to consider the appointment of the applicant as Milkman/Mazdoor in next arising vacancy. However as there has been no vacancy and as the

respondents had allegedly stopped the dairy the applicant could not be engaged so far. Now it is alleged in the application that the respondents have started the dairy again, the work is available and the respondents are bound to consider the applicant for appointment/engagement as Milkman/Mazdoor taking into account the previous service rendered by him. Under these circumstances the applicant has filed this application seeking the following reliefs :

1. direct the respondents to engage the applicant as casual, temporary or adhoc basis as Milkman-cum-mazdoor in preference to others.
2. Direct the respondents to consider applicant's claim in view of the direction of this Hon'ble Tribunal in the earlier proceedings and pass appropriate orders and communicate the same to the applicant as expeditiously as possible.
2. When the application came up for hearing Shri.Santhosh Kumar, Advocate took notice on behalf of the respondents. Counsel agree that the application may be disposed of permitting the applicant to make a detailed representation to the 3rd respondent seeking appointment/engagement as Milkman/Mazdoor and directing the 3rd respondent to consider and dispose of the representation and to give him an appropriate reply.
3. In the light of the above submissions made by the learned counsel on either side the application is disposed of permitting the applicant to make a detailed representation to the 3rd respondent seeking appointment/engagement as Milkman/Mazdoor under the 3rd respondent within two weeks and directing the 3rd respondent that if *such a representation is received the same shall be considered and*

disposed of taking into account the previous service rendered by the applicant and to give him an appropriate reply within a period of one month from the date of receipt of a copy of the representation. No order as to costs.

(Dated the 4th day of March 2005)



**A.V.HARIDASAN
VICE CHAIRMAN**

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