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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.180/05

Friday this the 11th 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**

1. Nazar A.P.C.,
S/o.Saayed Mohammed Koya,
Alimpauram House, Kilthan Island,
Union Territory of Lakshadweep.
2. Hassan Koya B.I.,
S/o.Muhammed Koya,
Bentha Illom, Kattampalli,
Kilthan, Union Territory of Lakshadweep.
3. Noorul Islam,
S/o.Koshi Nallyakoya,
Chamayam, Koshioda Kilthan,
Union Territory of Lakshadweep.
4. Dusthakeer V,
S/o.Ahammedkunji Master,
Adhana Illom, Kilthan,
Union Territory of Lakshadweep.

..Applicants

(By Advocate Mr.M.P.Krishnan Nair)

Versus

1. The Administrator,
Union Territory of Lakshadweep,
Kavarathy.
2. The Executive Engineer,
Department of Electricity,

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Administration of Lakshadweep,
Kavarathy.

3. Assistant Engineer,
Department of Electricity,
Union Territory of Lakshadweep,
Kavarathy, Kilthan.

4. Union of India represented by Secretary to Government,
Ministry of Power, New Delhi.

..Respondents

(By Advocate Mr.S.Radhakrishnan)

This application having been heard on 11th March 2005 the Tribunal on the same day delivered the following :

ORDER

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

The applicants were appointed as casual labourers right from 1999 onwards and working as Watch and Ward in SPB Plant, Kilthan under the 2nd respondent. They contended that they have got continuous service of more than 240 days in a year, that they have been terminated from service without any reason and that they were not reinstated in service. Aggrieved by the said inaction applicants have filed this application seeking the following reliefs :-

1. To call for the entire records of the applicants case leading to issue of Annexure A-3 and quash the same.
2. Declare that the action of the respondents in terminating the applicants with effect from 8.12.2004 is highly illegal, arbitrary,


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malafide in nature, discriminatory in character, unjust, unreasonable and unsustainable.

3. To direct the respondents to reinstate the applicants forthwith as watch and ward duty and regularise their service with effect from the date of initial appointment.

2. When the application came up for hearing Shri.M.P.Krishnan Nair appeared for the applicants and Shri.S.Radhakrishnan appeared for the respondents. Learned counsel for the respondents submitted that vide Annexure A-3 order Executive Engineer has already disposed of an identical matter and the applicants have no claim. However the learned counsel for the applicants submitted that Annexure A-1 and Annexure A-2 representations have been pending before the authority. He also submitted that he will be satisfied if applicants are permitted to make a comprehensive representation to the Administrator since a policy matter was involved and a direction be given to the 1st respondent to dispose of the same within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

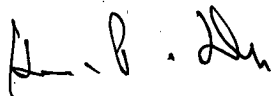
3. In the light of the submissions made by the learned counsel on either side the application is disposed of permitting the applicants to make a comprehensive representation to the 1st respondent (the Administrator) within a period of ten days from today and directing the 1st respondent that



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if such a representation is received the same shall be considered and disposed of within a period of two months from the date of receipt of a copy the representation. The O.A is disposed of at the admission stage itself. In the circumstances, no order as to costs.

(Dated the 11th day of March 2005)



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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