

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 185 of 2010

Tuesday, this the 05th day of April, 2011

CORAM:

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

1.	V Vijayakumar, UDC, Regional Passport Office Ernakulam	
2.	V.D Jayachandran, UDC, Regional Passport Office Ernakulam Applicants

(By Advocate – Mr.S Nirmal Kumar)

V e r s u s

1. Union of India, represented by the Secretary, Ministry of External Affairs, Government of India, New Delhi
2. Joint Secretary (C.P.V) and Chief Passport Officer, Ministry of External Affairs, New Delhi
3. Regional Passport Officer, Cochin – 36
4. Pankaja O.K, W/o Sajith P, Aged 42 years, Assistant, Passport Office, Kozhikode, residing at B 18, Passport Office Qtrs, Eranjipalam, Kozhikode.
5. Shobhana V., W/o Santhosh Kumar T.A, Aged 43 years, Assistant, Passport Office, Kozhikode, residing at C 32, Passport Office Qtrs, Eranjipalam, Kozhikode
6. Reena P., W/o Venugopalan P., Aged 43 years, Assistant, Passport Office, Kozhikode, residing at Kollambath House, Panniyankara, Kallai, Kozhikode
7. Sreelath K., W/o Krishnadas, Aged 44 years, Assistant, Passport Office, Kozhikode, residing at Elayedth House, Vengeri P.O., Kozhikode
8. Mini P., W/o Sivadasan K., Aged 43 years, Assistant, Passport Office, Kozhikode, residing at Qtrs No.C33, Passport Office Qtrs, Eranjipalam, Kozhikode

9. Vijayan K., S/o K Raghavan Nair, Aged 46 years, Assistant Passport Office, Kozhikode, residing at Kandiyoth House, Nanminda Post, Kozhikode

10. Geethamani T.P., W/o Krishnanunni, Aged 47 years, Assistant Passport Office, Kozhikode, residing at Vignesh, Pilassery Edakkadu Post, Kozhikode

11. Venugopal E.M, S/o E.M Narayanan Nair, Aged years, Assistant, Passport Office, Kozhikode, residing at Edavanameethal House, Nut Street Post, Vadakara, Kozhikode

12. Sbhasini K., D/o Balakrishnan Nair, Aged 45 years, Assistant, Passport Office, Kozhikode, residing at Bhagavath Kripa, Edakkadu, Kozhikode **Respondents**

**(By Advocate – Mr. M.V.S Nampoothiry, ACGSC and
Mr.N Nagares)**

This Original Application having been heard on 05.04.2011, the Tribunal on the same day delivered the following:

ORDER

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

1. The applicants are UDCs, aspiring for promotion to the post of Assistant. Based on an interim order passed by this Tribunal on 09.03.2010 they were permitted to appear for the relevant supplementary examination held on 21.03.2010. However, the entitlement of the applicants to appear for the examination was not decided. Eventhough they were successful in the examination the respondents by Annexure A-5 disposed of their representations informing that they do not have the requisite number of years of combined service as LDC and UDC as on 26.09.2008 which is the cut off date on which eligibility conditions are to be satisfied. They have



impugned Annexure A-5 order in the present Original Application.

2. We have heard Mr.S Nirmal Kumar appearing on behalf of the applicants. Identical question has come up for consideration in Original Application No.204/10 wherein we have held that the supplementary examination itself was directed to be held to enable those persons who were otherwise eligible as on the cut off date ie; 26.09.2008 and had responded to the earlier notification but were wrongly denied to participate in the examination. The said decision squarely applies here. Admittedly since the applicant has not satisfied eligibility conditions as on the cut off date, he is not entitled to appear for the examination as the qualifications are to be satisfied as on the cut off date. There is no merit in the contention raised by the applicants. Accordingly the Original Application is dismissed.

(Dated this the 05th day of April, 2011)


(K. NOORJEHAN)
ADMINISTRATIVE MEMBER


(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER