

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No. 189 of 2004

Friday, this the 12th day of March, 2004

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. Ajmal Azeez,  
S/o T.M. Azeez,  
Thachirukudi House,  
Tandekad, Perumbavoor,  
Ernakulam - 683 547 .. Applicant  
(By Advocate Mr. K.S. Madhusoodanan)

Versus

1. Union of India rep. by Secretary,  
Ministry of Personnel, Public Grievances  
and Pension, Department of Personnel and  
Training, North Block, New Delhi.
2. The Director,  
Central Bureau of Investigation,  
Block No.III, CGO Complex,  
Lodhi Road, New Delhi - 110 003 .. Respondents  
(By Advocate Mr. M. Rajendrakumar, ACGSC)

The application having been heard on 12-3-2004, the  
Tribunal on the same day delivered the following:

O R D E R

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

The applicant was one of the persons initially selected by the Central Bureau of Investigation (CBI for short) for appointment made for 134 posts of Police Constables pursuant to the notification dated 29-3-2000 (Annexure A1). For some reasons the CBI cancelled the select list. Aggrieved by the cancellation of the select list, one Rajeesh P.U, who was a person placed in the select list, approached the Tribunal by filing OA.No.327/2001 challenging the cancellation. That OA was dismissed by the Tribunal. However, the Hon'ble High

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High Court of Kerala set aside the order of the Tribunal stating that for the alleged irregularity the entire selection need not have been cancelled and those whose selection was not affected should have been appointed. The judgement of the Hon'ble High Court of Kerala has become final. In the meanwhile, the applicant and some other persons similarly situated approached the Hon'ble High Court by filing O.P. No.5221/2001 and the Hon'ble High Court allowed their claim and declared that they are also similarly situated. However, in the list prepared after the revaluation of answer papers (Annexure A8), the applicant's name was not included in a list of 134 persons. Finding that 29 persons out of 134 have not joined for various reasons and that therefore the applicant would be entitled to be appointed against one of the vacancies, the applicant submitted a representation on 1-3-2004 (Annexure A-10). The said representation is yet to be considered and disposed of by the 2nd respondent. Under these circumstances, the applicant has filed this application for a direction to fill up 29 vacancies referred to in Annexure A9 from the rank list.

2. When the application came up for hearing, Shri M. Rajendra Kumar, ACGSC took notice on behalf of the respondents. Counsel on either side agree that the application may be disposed of directing the 2nd respondent to consider Annexure A-10 representation of the applicant and to give the applicant an appropriate reply as expeditiously as possible.

3. In the light of the above submissions made by the learned counsel on either side, we dispose of the Original Application directing the 2nd respondent to consider Annexure A-10 representation of the applicant and to give the applicant an

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appropriate reply as expeditiously as possible, at any rate not later than six weeks from the date of receipt of a copy of this order. No order as to costs.

Friday, this the 12<sup>th</sup> day of March, 2004



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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