

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 244 OF 2011

Thursday, this the 24th day of March, 2011

CORAM:

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER

Sujith S.K.
Painter (SK)
INS Garuda, Kochi – 682 004 ... Applicant

(By Advocate Mr. Vishnu S Chempazhanthiyil)

versus

1. The Commanding Officer
INS Garuda,
Kochi – 682 004
2. The Admiral Superintendent
Naval Dockyard Vishakhapatnam
3. The Commandore
Headquarters, Southern Naval Command
Kochi – 682 004
4. The Flag Officer
Commanding-in-Chief
Southern Naval Command
Kochi – 682 004
5. The Flag Officer
Commanding-in-Chief
Eastern Naval Command
Vishakapatnam – 50 014
6. The Chief of Personnel
Integrated Naval Headquarters
Ministry of Defence
New Delhi – 110 011 ... Respondents

(By Advocate Mr. Sunil Jacob Jose, SCGSC)

The application having been heard on 24.03.2011, the Tribunal
on the same day delivered the following:

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ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant was recruited for Apprenticeship training in Naval Ship Repair Yard in 1999. According to him, he completed his training in 2000. Such personnel are absorbed in due course in Southern Naval Command. While the applicant was awaiting absorption, he applied for the post of Painter under Naval Dockyard, Visakhapatnam in the year 2005 and on selection he joined the aforesaid post. Even though, he requested for transfer to any of the Defence establishment in Kerala on compassionate ground, the same was not allowed. In the meanwhile, the applicant was offered absorption as Painter in the year 2009 in Naval Ship Repair Yard, Kochi. He had submitted technical resignation and the same was accepted and the applicant joined at Naval Ship Repair Yard, Kochi on 01.06.2009. Thereafter, he requested for protection of pay and service benefits for the services rendered in Naval Dockyard, Visakhapatnam and for transfer of GPF Account but the same was not acceded to. He submitted a representation to the 2nd respondent. It was rejected by Annexure A-9 order dated 03.08.2009. Thereafter, he submitted Annexure A-11 representation dated 20.01.2010 to the higher authorities, viz., i, The Naval Headquarters, New Delhi ii, The Flag Officer, Commanding-in-Chief, Southern Naval Command and iii, The Flag Officer, Commanding-in-Chief, Eastern Naval Command. According to the applicant, respondents have not considered the same and informed him of the decision taken in the matter.

2. Mr.Sunil Jacob Jose, SCGSC on receipt of an advance copy of the OA, took notice on behalf of the respondents.



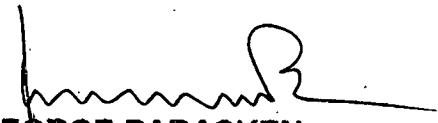
3. In our considered opinion, this OA can be disposed of at the admission stage itself. We, therefore, direct the 6th Respondent, viz., the Chief of Personnel, Integrated Naval Headquarters, Ministry of Defence, New Delhi to consider the aforesaid Annexure A-11 representation of the Applicant within two months from the date of receipt of a copy of this order and communicate the decision to him.

4. With the aforesaid direction, the OA is disposed of. No order as to costs.

Dated, the 24th March, 2011.



K. NOORJEHAN
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER

VS