

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 247/2002

Wednesday, this the 7th day of August, 2002.

CORAM;

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

M.L.George,
Assistant Accounts Officer,
Pay & Accounts Office,
Department of Agriculture,
Fine Arts Avenue,
Kochi-682 016. - Party in person

Vs

1. Union of India represented by
The Controller General of Accounts,
Ministry of Finance,
Department of Expenditure,
Lok Nayak Bhavan,
Khan Market,
New Delhi.
2. The Chief Controller of Accounts,
Principal Accounts Office,
Department of Agriculture &
Cooperation,
16 Akbar Road hutments,
New Delhi.
3. The Chief Controller of Accounts,
Ministry of Urban Development,
Nirman Bhavan,
New Delhi.
4. The Chief Engineer(IBBZ),
29, Budhabed Bose Road,
Ashrampura,
Siliguri.
5. The Senior Accounts Officer,
Pay & Accounts Office,
Department of Agriculture &
Cooperation,
Fine Arts Avenue,
Kochi-682 016. - Respondents

By Advocate Mr C Rajendran, SCGSC

The application having been heard on 7.8.2002 the Tribunal on the same day delivered the following:

O R D E R

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

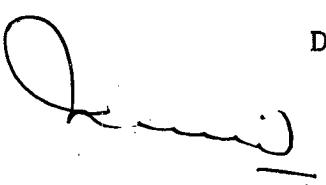
The applicant, an Assistant Accounts Officer, Department of Agriculture and Cooperation, Kochi, has filed this application challenging A-3 order by which he is relieved of his duties to give effect to his appointment as Pay and Accounts Officer in the Ministry of Urban Development and posting as Finance Officer, CPWD, Siliguri.

2. The respondents have filed a reply statement. On the basis of an interim order, the applicant is continuing in his present office. Now the learned counsel for respondents states that on a consideration of the averments made in the application, the competent authority would consider the request of the applicant seeking permission to decline promotion in accordance with rules if a representation is made within a week from today and that the application may be disposed of permitting the applicant to make the such representation and directing the 1st respondent to take a decision on his request and to communicate the same to him within a reasonable time, keeping the relief of the applicant pending. The above proposal is acceptable to the applicant also, who is present in person.

3. In the light of the above development, the application is disposed of permitting the applicant to make a representation to the 1st respondent seeking permission to decline promotion as PAO and posting as F.O. within a week from today and directing the 1st respondent to consider the

representation and to give the applicant an appropriate reply. We also direct that till a reply is served on the applicant on the aforesaid representation declining promotion, the applicant shall not be relieved from the present place of posting. There is no order as to costs.

Dated, the 7th August, 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

trs

APPENDIX

Applicant's Annexures:

1. A-1 : True copy of the letter dated 18.2.2002 from the Sr. Accounts Officer addressed to the Controller of Accounts forwarding the representation of the applicant for cancellation of option for promotion as Pay & Accounts Officer, Kochi and posting at Siliguri.
2. A-2 : True copy of the letter dated 2.4.2002 addressed to the applicant by the Sr. Accounts Officer, Office of the Pay & Accounts Office Kochi informing the rejection of his representation by the 1st respondent as informed by the 2nd respondent.
3. A-3 : True copy of the office order dated 1.4.2002 from the Principal Accounts Officer, Deptt of Agriculture and Co-operation, New Delhi.

Respondents' Annexures:

1. R-1 : True photocopy of extract of Recruitment Rules 2000.
2. R-2 : True photocopy of letter dated 8.3.02 issued by the 1st respondent.
3. R-3 : True photocopy of letter dated 20.3.2002 issued by the 2nd respondent.
4. R-4 : True photocopy of order dated 27.3.2002 issued by the Sr. Accounts Officer (Adm.)
5. R-5 : True photocopy of order dated 15.4.02 issued by the 5th respondent.

APP
27.8.02