

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.258/04

Wednesday this the 16th day of June 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

K.V.Joshy,  
S/o.K.K.Vallon,  
Kalathil House,  
Puthuvypu, Ernakulam.  
(Launch Mechanic, Customs Preventive Division,  
Sea Patrolling Unit, Beypore, Calicut-15.) Applicant

(By Advocate Mr.K.S.Madhusoodanan)

Versus

1. Union of India represented by  
Secretary, Ministry of Finance,  
New Delhi.
2. Director,  
Directorate of Preventive Operations  
(Customs and Central Excise),  
New Delhi.
3. Commissioner of Customs (Preventive),  
Central Revenue Building,  
I.S.Press Road, Cochin-18. Respondents

(By Advocate Mrs.Mariam Mathai,ACGSC)

This application having been heard on 16th June 2004 the  
Tribunal on the same day delivered the following :

O R D E R

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

The grievance of the applicant who commenced his service as Launch Mechanic in the year 1979 is that for the reasons there is no post of Engine Driver which is a feeder grade for promotion to Engineer Mate, he is languishing in the entry grade despite existence of vacancies of Engineer Mate. It appears that taking note of the situation the 2nd respondent had made a suggestion to the 1st respondent to amend the Recruitment Rules. A copy of the recommendation is Annexure A-4, however, a final decision in the matter has not been taken, therefore, the applicant has filed

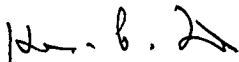
this application for the following reliefs :

1. pleased to direct the 1st respondent to finalise the amendment in Annexure A-1, proposed by the 2nd respondent in the post of Engineer mate within a time frame and on being so amended, reckon the past service of the applicant and place him at appropriate points in the promotion ladder applying Rules 5 and 7 of Annexure A-1.
2. direct the 3rd respondent to confer the 2nd grade promotion to the applicant on completing 24 years of service on 28.12.2003 with all consequential benefits.

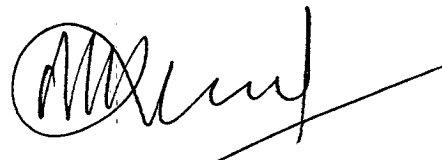
2. When the application came up for hearing Smt. Mariam Mathai, ACGSC took notice on behalf of the respondents. Counsel on either side agree that the application may be disposed of directing the 1st respondent to consider the suggestions made by the 2nd respondent in Annexure A-4 and to take an appropriate decision in the matter within a reasonable time.

3. In the light of the above submissions of the learned counsel the application is disposed of directing the 1st respondent to consider the suggestions made by the 2nd respondent in Annexure A-4 and to take an appropriate decision and to communicate the same by serving a copy to the applicant within a period of four months from the date of receipt of a copy of this order. No costs.

(Dated the 16th day of June 2004)



H.P.DAS  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN

asp