

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.286 of 1996

Monday, this the 8th day of April, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Dr M M Hassan, Veterinary Assistant Surgeon,
(Technical Assistant),
Directorate of Animal Husbandry,
Kavaratti.

...Applicant

By Advocate Mr P K Madhusoodhanan.

Vs

1 The Director, Animal Husbandry,
Union Territory of Lakshadweep,
Kavaratti.

2 The Administrator,
Union Territory of Lakshadweep,
Kavaratti.

3 Union of India, represented by
its Secretary,
Ministry of Home Affairs,
New Delhi.

...Respondents

By Advocate Ms. Beena for Advocate Mr MVS Nampoothiri.

The application having been heard on 8th April 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

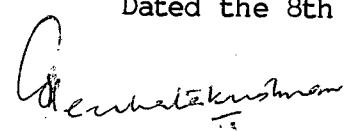
Applicant, a Veterinary Assistant Surgeon/Technical Assistant under the Lakshadweep Administration seeks a declaration that he is entitled to be posted as a Veterinary Officer(written as Veterinary Surgeon in the prayer). On an earlier occasion we had asked the Administrator to consider the matter. He did this by A5 and observed:

"... the post of Veterinary Officer is not a promotion post for the Veterinary Assistant Surgeon/Technical Assistant, but all these posts belong to the same category viz. Group B(Gazetted) with the same scale of pay of Rs 2000- 3500 regulated by one and the same Recruitment Rules..."

Counsel for applicant also, admits that this is not a promotion post. When this is not a promotion post, seniority as such is not determinative. As to who should be posted is a matter for the administration to consider. We are confident that they will adopt right attitudes in these matters.

2 Original application is disposed of. No costs.

Dated the 8th April, 1996.


P V VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A5:- True copy of the order of the 2nd respondent
in F.No.1/5/94-AH dt. 25.11.1995.

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