

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.286/2000

Tuesday this the 14th day of March, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

N.K. Bharathan,  
Mazdur, Office of the Assistant Garrison  
Engineer (E/M) No.1,  
Naval Base, Kochi.4. ....Applicant

(By Advocate Mr. G.Balakrishnan rep.Sh.NN Sugunapalan)

vs.

1. Garrison Engineer (E&M)  
Naval Base, Kataribagh, Kochi.4.
2. Commander Works Engineer,  
Naval Base, Kochi.
3. Chief Engineer (Navy)  
Naval Base, Kochi.4.
4. Chief Engineer,  
Headquarters, Southern Naval Command,  
Pune.
5. The Engineer-in-Chief,  
Army Headquarters Engineer-in-Chief's  
Branch, Army Headquarters.  
New Delhi.
6. Union of India represented by the  
Secretary, Ministry of Defence,  
New Delhi. ....Respondents

(By Advocate Mr. M. Rajendra Kumar rep. ACGSC Suresh)

The application having been heard on 14.3.2000, the  
Tribunal on the same day delivered the following:

O R D E R

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

The applicant who is working as Mazdoor in the industrial  
cadre under the first respondent appeared in a test held

on 7.8.98 for promotion as Lower Division Clerk. His grievance is that the result of the test has not yet been announced and that the recruitment rules have since been amended blocking the chance of Mazdoors in the industrial cadre to be selected for appointment to the post of Lower Division Clerks. Therefore, the applicant has filed this application for the following reliefs:

(i) issue a writ of mandamus or any other appropriate writ, order or direction directing the respondent to publish the result of the test conducted by the respondents for the post of LDC on 7th August, 1998.

(ii) issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to appoint the applicant in one of the vacancies of LDC available before the introduction of Annexure A1 rule for recruitment of LDCs.

(iii) Award exemplary costs to the applicant.

and

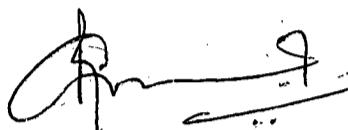
(iv) Grant such other orders or directions as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

2. When the application came up for hearing, learned counsel on either side agree that the application may be disposed of with a direction to the 4th respondent to consider A3 and A4 representations made by the applicant and to give him an appropriate reply within a reasonable period.

3. In the result, in the light of the submission of the learned counsel on either side, the application is

disposed of with a direction to the 4th respondent to consider Annexures A3 and A4 representations made by the applicant and to give him an appropriate reply within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 14th day of March, 2000



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

s.

List of annexures referred to:

Annexure A3: True copy of representation submitted by the applicant to the 4th respondent dated 9.12.99.

Annexure A4: True copy of representation submitted by the applicant to the 4th respondent dated 20.1.2000.

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