

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.298/2000

Tuesday this the 21st day of March, 2000

CORAM

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

S.Attakoya S/o Pukoya
aged 39 years, Executive Engineer (Civil)
Lakshadweep PWD,
Kalpeni, residing at
Surmabiyoda House, Kilthan Island,
Lakshadweep.

...Applicant

(By Advocate Mr. M.R. Rajendran Nair)

vs.

1. Union of India represented by the
Secretary to Government of India,
Ministry of Urban Development,
New Delhi.
2. The Administrator, Union Territory of
Lakshadweep, Kavarathi
Lakshadweep PWD Circle Office,
Kavarathi.
3. The Superintending Engineer,
Lakshadweep PWD
Circle Office, Kavarathi.

...Respondents

(By Advocate Mr. Sajeev Kumar rep. Mr.PRR Menon)

The application having been heard on 21.3.2000, the
Tribunal on the same day delviered the following:

O R D E R

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

The applicant who is working on adhoc basis as
Executive Engineer under the Lakshadweep Administration
for quite some time is aggrieved that the post of
Excecutive Engineer though vacant is not being filled
thereby his chance for regular promotion to that post is
getting delayed. The applicant earlier approached this
Tribunal filing O.A.12/2000. That application was
disposed of directing the applicant to make a
representation to the second respondent and with a
direction to the second respondent to consider and give
the applicant an appropriate reply. In obedience to the


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above directions the second respondent has considered the representation of the applicant and passed an order on 14.2.2000 (Annexure.A1) whereby the applicant has been informed that the competent authority to make appointment to the post of Executive Engineer which is a Group A post being the Ministry of Urban Development, the matter has been sent to the Ministry for filling up of the post on a regular basis and that the matter would be pursued with the Ministry from time to time. The applicant has now filed this application being aggrieved that the matter is being getting protracted.

2. We have perused the application and the materials annexed thereto and have heard the learned counsel of the applicant. This is the third time that the applicant is approaching the Tribunal for the same remedy concerning his appointment to the post of Executive Engineer. In O.A.12/2000 the second respondent Administrator was directed to consider the representation made by the applicant and to give an appropriate reply. In ^{the} reply Annexure.A1 the second respondent has categorically stated that suitable proposal has been sent to the Government of India, Ministry of Urban Development and the matter is being pursued. This order was passed only on 14.2.2000. We are of the considered view that the applicant has been unduly haste in rushing to the Tribunal without giving the first respondent a reasonable time to consider the proposal and take an appropriate action. Therefore, while rejecting this application as premature, we expect the

first respondent to take an appropriate decision on the filling up of the post of Executive Engineer on a regular basis ^{promptly} in the light of the proposals made by the second respondent. No order as to costs.

Dated the 21st day of March, 2000


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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List of Annexure referred to:

Annexure.A1: True copy of the order dated 14.2.2000
No.F.No.1/SE/1863/2000 issued by the 2nd
respondent.

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