

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 319/92

Tuesday, the eleventh day of January, 1994

MR. N. DHARMADAN MEMBER (JUDICIAL)

MR. S. KASIPANDIAN MEMBER (ADMINISTRATIVE)

K. Ravindranathan
Foreman (PPC) Naval Ship Repair Yard
Kochi-682 004

Applicant

By Advocate Mr. Varghese Myloth

vs.

1. Union of India represented by
Secretary, Ministry of Defence,
New Delhi

2. Flag Officer Commanding-in-Chief
Southern Naval Command, Kochi-4

3. The Captain Supdt., Naval Ship
Repairing Yard, Kochi-4

4. I.N. Unnikrishnan, Sr. Foreman
PP&C Section, Naval Ship Repair Yard
Kochi-4

5. Chief of Naval Staff, Naval HQs, New Delhi
By Advocate Mr. Mathews G. Nedumpara

Respondents

ORDER

N. DHARMADAN

On consent of the learned counsel appearing in the case, the case was taken up for final hearing and disposal. Having heard learned counsel on both sides, we are satisfied that the original application can be disposed of in the light of the order referred to in the addl. rejoinder. It has been indicated in that order that there is irregularity in the matter of appointment of the fourth respondent as Sr. Foreman PPC Section and the applicant is satisfied if the original application is disposed of directing the additional fifth respondent to look into the matter/xx consider the claim of the applicant raised in this original application after getting relevant records from the second respondent.

2. The relevant portion of Annexure A-10 is extracted below:

"2. Name of Shri IN Unnikrishnan, Sr. Foreman was shown in the seniority roll of Sr. Foreman (Elect.)

circulated vide NHQ letter CP(G)/0128 dated 28th December, 89. It was requested that the seniority roll may be circulated to the individuals concerned and discrepancies if any be forwarded to NHQ by 30th Jan, 90. No intimation about change of discipline of the individual from Electrical to PP&C was brought to our notice then. The name of the individual was again reflected in the seniority roll of senior Foreman(Electrical), circulated vide NHQ letter No. CP(NG)/0222 dated 23 Jul 93, addressed to all commands.

3. It is seen from the ACR Dossier that the individual was holding Electrical Trade through out his service career since 1970 to date:-

- a) Electrician Gde II - 01-4-70
- b) Electrician Ftr Gde I - 20.8.70
- c) Electric Mech. - 01.12.73
- d) Sr. Chargeman(Elec.) - 25.11.74
- e) Foreman("lect.") - 15.6.78
- f) Sr. Foreman - 26.9.83

4. Before any action is taken on the representation of the individual, it is requested that you verify from the service records of individual and intimate to NHQ immediately the correct discipline of the individual. If it has been changed to PP&C, the complete details thereon may be provided for information and record."

3. Having heard learned counsel on both sides, we are satisfied that justice will be met in this case if we dispose of the application directing the fifth respondent to consider the claim of the applicant as raised in the original application and dispose of the same in accordance with law. This shall be done within a period of four months from the date of receipt of the copy of this judgment.

4. The application is disposed of as indicated above.

5. There shall be no order as to costs.

S. Kasi Pandian

(S. KASIPANDIAN)
MEMBER (ADMINISTRATIVE)

KMM

N. Dharmadan
N. 1.94

(N. DHARMADAN)
MEMBER (JUDICIAL)