

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.331 of 1992

&

O.A.No.1196 of 1993

&

O.A.No.1535 of 1993

Monday this the 25th day of July, 1994

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

O.A.331/92

C.J.Paul, Forest Utilisation Officer  
(Deputy Conservator of Forests)  
Trivandrum.

.... Applicant

Vs. (By Advocate Mr.MR RajendranNair)

1. State of Kerala, represented by  
Chief Secretary to Govt. of Kerala  
Secretariat, Trivandrum.
2. Union of India, represented by  
Secretary to Govt. of India,  
Department of Forest and Environment,  
New Delhi.
3. The Commissioner and Secretary to  
Kerala, Forest and Wild Life Department,  
Secretariat, Trivandrum.
4. Shri C.K.Antony, Divisional Forest Officer,  
Chalakudy. .... Respondents

(By Advocate Mr.D.Sreekumar Govt.Pleader(for R1&3)  
Mr.C.S.Rajan (for R.2) (Not present)

O.A.1196/93

T.V.Balaraman,  
Divisional Forest Officer, Palghat..... Applicant

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

Vs.

1. State of Kerala represented by Chief  
Secretary, Govt. of Kerala, Govt.  
Secretariat, Trivandrum.
2. Union of India represented by  
Secretary to Government of India,  
Department of Forest and Environment,  
New Delhi.

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3. Union Public Service Commission,  
rep. by its Secretary,  
Dholpur House, New Delhi.
  4. Mr.V.John Thomas, D.F.O.Thenmala.
  5. Mr.C.K.Antony, D.F.O. Malayattoor. .... Respondents
- (By Advocates Mr.D.Sreekumar Govt.Pleader for R.1  
Mr.PC Sebastian rep. ACGSC for R.2&3.

O.A.1535/93

P.K.Zachariah,  
Assistant Chief Conservator  
of Forests, Forest Headquarters,  
Trivandrum. .... Applicant..

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

Vs.

1. Union of India, represented by  
Secretary to Government,  
Ministry of Environment,  
New Delhi.
  2. State of Kerala represented by  
Chief Secretary, Secretariat,  
Trivandrum.
  3. Mr.C.K.Antony, Divisional Forest  
Officer, Malayattur,Kodanadu PO. .... Respondents
- (By Advocate Mr. K.Karthikeya Panicker (not present)  
for R1  
Mr.D.Sreekumar for R.2 (Govt. Pleader).

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

O.A.No.331/92.

Applicant seeks a declaration that he is eligible to be included in the Select List, 1987 of Indian Forest Service, - appointment by promotion. He was encadred only in 1992. According to applicant, respondents made a mistake in not including him in the 1987 Select List and this in turn was based on a wrong understanding of facts.

2. Respondents submit in their reply statement

that O.A.610/91 filed by applicant for a like relief has been dismissed and that the question cannot be agitated now. We do not propose to go into these matters as applicant submits that he will be satisfied if a direction is issued to dispose of Annexure.A13 representation. Accepting the prayer, we direct the competent authority to dispose of Annexure.A13 within three months from today. That authority will be well advised to refer to the contentions and indicate their findings on each, with reasons. We do not express any opinion on the merits of the matter.

3. Application is disposed of accordingly. No costs.  
O.A.1196/93

The prayer in this application is to grant an earlier year of allotment to applicant, who has been encadred in the Indian Forest Service. Learned counsel for applicant submits that the issues raised herein may have a bearing on the issues in O.A.331/92. He would also submit that applicant would be satisfied if Annexure.A9 representation is considered. We direct the competent authority among the respondents to consider Annexure.A9 while considering Annexure.A13 in O.A.331/92 and pass a reasoned order thereon, adverting to the contentions of the applicant and recording findings thereon. This will be done within three months from today.

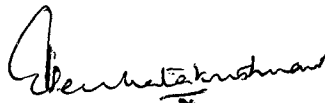
2. Application is accordingly disposed of. No costs.  
O.A.1535/93

The prayer in this application is to grant an earlier year of allotment to applicant who has been

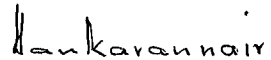
encadred in the Indian Forest Service. Learned counsel for applicant submits that the issues raised herein may have a bearing on the issues in O.A.331/92. He would also submit that applicant would be satisfied if Annexure.A6 representation is considered and disposed of. We direct the competent authority among the respondents to consider Annexure.A6 while considering Annexure.A13 representation in O.A.331/92 and pass a reasoned order thereon, adverting to the contentions of applicant and recording findings thereon. This will be done within three months from today.

2. Application is accordingly disposed of. No costs.

Dated 25th July, 1994.



P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

List of Annexures

OA 331/92

Annexure A13:- True copy of the representation dated 2-2-1992 of the applicant to the Ist respondent and Commissioner and Secretary, Forest and Wild Life(F) Dept.

OA 1196/93

Annexure A9:- True copy of the representation dated 1-6-1992 submitted by applicant to the Commissioner & Secretary to Govt. alongwith the forwarding letter.

OA 1535/93

Annexure A6:- True copy of the representation dated 3-11-1992 of the applicant to the Commissioner & Secretary, Forest & Wildlife Department.