

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 348 of 1995

Tuesday, this the 4th day of February, 1997

CORAM

HON'BLE MR. AM SIVADAS, JUDICIAL MEMBER

1. M.Chellappan, S/o N.Manian Achary,
Superintendent, Services Section,
Secretariat, Kavarathi,
Thareparambil House, Arangaon Road,
Chandamangalam.
2. KC.Mohanan, S/o KC. Krishnan,
Superintendent, General Section,
Secretariat, Kavaratti. .. Applicants

By Advocate Mr. MR Rajendran Nair

Versus

1. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
2. Union of India represented by
Secretary,
Ministry of Home Affairs,
Government of India, New Delhi. .. Respondents

By Advocate Mr. PR Ramachandra Menon, ACGSC

The application having been heard on 4-2-1997, the
Tribunal on the same day delivered the following:

O R D E R

The applicants were working as Upper Division Clerks.
While so, their junior Sri Abdul Azeez was promoted as
Head Clerk/Accountant. The promotion of Abdul Azeez was
challenged by the 2nd applicant. It is submitted by the
applicants' Counsel that this Tribunal held that the
promotion granted to Sri Abdul Azeez was not sustainable
in law and was set aside, but until regular promotion was
made he was allowed to continue as Head Clerk/Accountant
on ad hoc basis. Subsequently, both the applicants were

contd..2

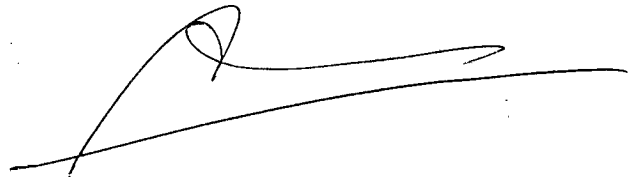
promoted as Head Clerks/Accountants. As a result of the ad hoc promotion to Sri Abdul Azeez who, according to the applicants, is junior to them is drawing higher pay than the applicants and the applicants are entitled to stepping up of their pay on par with their junior Sri Abdul Azeez.

2. When the OA came up for hearing the learned counsel appearing for the applicants submitted that it is not necessary to go into the merits of the OA and it is suffice that the applicants are permitted to make a fresh representation to the first respondent, in spite of the fact that their earlier representations have been turned down by the first respondent, since all the grounds available were not raised in the earlier representations. Learned counsel appearing for the respondents has no objection for the same.

3. Accordingly, the applicants are permitted to submit fresh representation to the first respondent setting out all the grounds in detail within a period of one month from today. If such representation is made by the applicants, the first respondent shall dispose of the same on merits within a period of two months from the date of receipt of the same.

4. Original Application is disposed of as aforesaid.
No costs.

Dated the 4th of February, 1997



A M SIVADAS
JUDICIAL MEMBER