

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 392/97

Wednesday this the 23rd day of April, 1997.

CORAM

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

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

1. M. Kunhikannan,
Assistant,
Central Administrative Tribunal,
Ernakulam Bench, Ernakulam.

2. M.O. Eapen,
Assistant,
Central Administrative Tribunal,
Ernakulam Bench, Ernakulam.

3. N.Raveendran Pillai,
Assistant,
Central Administrative Tribunal,
Ernakulam Bench, Ernakulam.

... Applicants

(By Advocate Mr. P.Santhoshkumar)

Vs.

1. Union of India represented by the
Secretary,
Ministry of Personnel Public Grievances
and Pensions, North Block, New Delhi.

2. The Hon'ble Chairman
Central Administrative Tribunal
Principal Bench,
Faridkot House,
Copernicus Marg, New Delhi. (R.2 is deleted from
party array as
per order dated 20.3.97
in M.A. 368/97).

3. Central Administrative Tribunal
Principal Bench
Faridkot House,
Copernicus Marg New Delhi represented
by the Registrar. Respondents

(By Advocate Mr. T.P.M. Ibrahim Khan, Sr.CGSC)
(for R.1&3)

The application having been heard on 23.4.1997, the
Tribunal on the same day delivered the following:

contd...

ORDER

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

The applicants who are holding the post of Upper Division Clerks on a substantive basis and officiating as Assistants have a grievance that their seniority position has not been properly shown in the Gradation List of UDCs. They submit that they are entitled to be regularised in service of Assistants from the date of promotion of their juniors. Claiming these reliefs they have made representations but they did not evoke any response. Under these circumstances the applicants have filed this application praying for the following reliefs:

- "(i) to direct the respondents 1&3 to finalise the seniority of Upper Division Clerks in the Central Administrative Tribunal on 1.11.89 of All India Cadre basis without further delay;
- (ii) to direct the respondents 1&3 to regularise adhoc service of the applicants in the grade of Assistant from the date of promotion of juniors and also direct to give all the consequential benefits."
- (iii) to direct the respondents 1&3 to consider and dispose of Annexure A3, A4, A5 & A6 representation as expeditiously as possible.
and
- (iv) to grant such other further reliefs that this Hon'ble Tribunal may deem fit and proper."

2. When the application came up for hearing on admission, learned counsel for the applicants states that the applicants will be satisfied if the prayer at para (iii) of paragraph 8 of the O.A. is granted

-: 3 :-

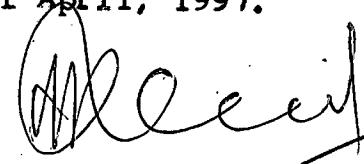
with a specific direction to the third respondent to dispose of the representations (A3 to A6) within a specified time limit. Learned counsel for respondents states that the respondents have no objection in granting this relief.

3. In the result and in the light of what is stated above, the application is disposed of finally with a direction to Third Respondent to consider the representations made by the applicants (A3 to A6) in accordance with the rules and instructions on the subject and give them a speaking order within a period of two months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 23rd day of April, 1997.


P.V. VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

ks.

LIST OF ANNEXURES

1. Annexure A3: True photostat copy of the representation dated 9.1.97 submitted by the 1st applicant to the 2nd respondent.
2. Annexure A4: True photostat copy of the representation dated 9.1.97 submitted by the 2nd applicant to the 2nd respondent.
3. Annexure A5: True photostat copy of the representation dated 10.1.97 submitted by the 3rd applicant to the 2nd respondent.
4. Annexure A6: True photostat copy of the representation dated 27.2.97 submitted by the 2nd applicant to the 2nd respondent.

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