

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. ~~XXXXXX~~ 393 of 1991

DATE OF DECISION 5.3.92

K. Velayudhan Applicant (s)

M.C. Cherian Advocate for the Applicant (s)

Versus

The Director, CIFNET
and others Respondent (s)

Mr. TPM Ibrahim Khan Advocate for the Respondent (s)
for R.1&2.

CORAM :

The Hon'ble Mr. **S.P.Mukerji** - Vice Chairman

and

The Hon'ble Mr. **A.V.Haridasan** - Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

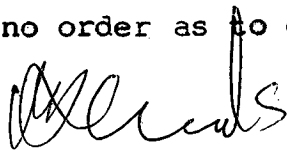
(Hon'ble Mr.S.P.Mukerji, Vice Chairman)

who
The applicant/is working as Senior Deck-hand-cum Greaser under the Director of Central Institute of Fisheries Nautical Engineering Training (CIFNET), in this application dated 20.2.91 has challenged the impugned orders at Annexures 10 and 11 by which his representations for promotion to the post of Engine Driver Class II were rejected. He has prayed that the respondents be directed to post him as Engine Driver Grade-II and to dispose of his appeal dated 10.6.90 at Annexure.12.

2. When the Case was taken up for arguments today the learned counsel for the applicant brought to our notice the assurance given by the respondents 1&2 at Annexure-11 as also in the counter affidavit to the effect that since

the Recruitment Rules for the post of Engine Driver Class II do not provide for any promotion, a proposal has been sent to the administrative Ministry ie., the Department of Agriculture, Government of India to amend the Recruitment Rules and provide for promotional avenues for Senior Deck-hand-cum-Greaser to the post of Engine Driver Class II. The learned counsel for the applicant stated that the applicant will be satisfied if this application is disposed of with the direction to the second respondent to take a decision on the aforesaid proposal expeditiously. The learned counsel for the respondents 1&2 has no objection to such a direction being given to Respondent No.2.

3. In the facts and circumstances we close this application with the direction to Respondent No.2 ie., Union of India represented by its Secretary, Department of Agriculture to take a decision expeditiously on the question of amending the existing Recruitment Rules for the post of Engine Driver Class II in CIFNET so as to provide promotional avenues for Senior Deck-hand-cum-Greasers working in that institution, within a period of three months from the date of communication of this judgment. We make it clear that the applicant will be at liberty to approach appropriate legal forum if so advised and in accordance with law if he is aggrieved by the outcome of such a decision. There will be no order as to costs.



(A.V. HARIDASAN)
JUDICIAL MEMBER



(S.P. MUKERJI)
VICE CHAIRMAN

5.3.92