

**Central Administrative Tribunal
Ernakulam Bench**

OA/180/00498/2014

Monday, this the 4th day of June, 2018

CORAM

HON'BLE MR.U.SARATHCHANDRAN, JUDICIAL MEMBER

HON'BLE MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

1. P.A.Sunny, aged 51 years
S/o Late P.D.Antony
Working as UDC, Office of the
Executive Engineer, CPWD Trichur
Central Division.
Residing at Parakkal House, Palam Stop
Cherpu PO, Trichur-680 561.
2. M.Suresh, aged 48 years
S/o C.S.Menon
Working as LDC, Office of the
Executive Engineer, CPWD Trichur
Central Division.
Residing at Mayampurathu, 11/599/21
Indira Nagar, Kuttumukku,
Ramavarmapuram PO,
Trichur-680 631.

Applicants

(By Advocate: M/s B.S.Krishnan Associates/Mr.Joseph Sebastian)

versus

1. Union of India represented by the
Secretary to the Government of India
Ministry of Urban Development
Nirman Bhavan, New Delhi-110 011.
2. Department of Personnel & Training
represented by its Secretary
North Block, New Delhi-110 001.
3. The Director General
Central Public Works Department
Nirman Bhawan, New Delhi-110 011.

4. The Chief Engineer
Southern Zone V
Central Public Works Department
CGO Complex, Thiruvananthapuram-695 522.
5. The Superintending Engineer
Calicut Central Circle, CPWD
MS Baburaj Road, Kallayi
Calicut-673 003.
6. The Executive Engineer
Trichur Central Division, CPWD
Mundassery Memo Building
Chembukavu, Trichur-680 020

Respondents

(By Advocate: Mr.Thomas Mathew Nellimoottil, Sr.PCGC)

This OA having been heard on 4th June, 2018, the Tribunal delivered the following order on the same day:

ORDER

By U.Sarathchandran, Judicial Member

None present on the side of the applicants. Applicants were called absent. We note that this is a 2014 matter and several postings have occurred. The applicants have no effective representation. As the applicants are absent today without any representation through their counsel, the OA is dismissed for non-prosecution.

(E.K.Bharat Bhushan)
Administrative Member

(U.Sarathchandran)
Judicial Member

aa.

Annexures filed by the applicants:

Annexure A1: Office order of the 6th respondent dated 26.3.2014 along with the clarification issued by the 2nd respondent in pursuance of the Tribunal's order in OA 934 of 2012.

Annexure A2: Copy of the order dated 6.9.2010 of the Under Secretary, Government of India, Ministry of Urban Development granting 2nd ACP to the 1st applicant.

Annexure A3: Copy of office order No.41 of 2011 dated 19.10.2011 granting 1st ACP to the 2nd applicant.

Annexure A4: Copy of the relevant pages of the DoPT office memorandum dated February 10, 2000.

Annexure A5: Copy of the relevant pages of the order dated 18th July, 2001 of the DoPT.

Annexure A6: Copy of the order dated 21.6.2013 in OA 934/12 passed by CAT, Ernakulam.

Annexure A7: Copy of the information collected under Right to Information Act from the different offices of CPWD.

Annexure filed by the respondents.

Annexure R1: Copy of DoPT Notification No.12/5/94-CS II dated 18.1.1995.

Annexures filed along with rejoinder:

Annexure A8: Copy of the OM No.35034/I/97-Estt(D) dated 9.8.1999.

Annexure A9: Copy of the OM No.35034/3/2008-Estt.(D) (Vol.II) dated 1.11.2010.

Annexure A10: Copy of the OM No.35034/1/97-Estt(D) dated 4.10.2012.

Annexure A11: Extract of CPWD Manual Vol I Section 2 – Recruitment page 31.

Annexure A12: Extract of GOI Decision No.4 under FR22.

Annexure A13: Relevant page of the Central Secretariat Clerical Service Rules, 1962.

Annexure A14: Copy of the RTI Information issued by the Ministry of UD dated 22.3.2013.

Annexure A15: Copy of the RTI Information dated 2.5.2013.

Annexure A16: Copy of the RTI Information dated 21.5.2013.

Annexure A17: Copy of the RTI Information dated 6.5.2014.

Annexure A18: Copy of the OM No.A-31016/3/99-Ad.I (B) dated 31.10.2002.

Annexure A19: Extract of Rule 26 of CCS Pension Rules, 1972.

Annexure A20: Copy of order dated 9.9.2016 in OA No.310/01428/2016