

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00427/2018

Date of decision: 07.11.2018

CORAM:

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member

1. M.S. Sabu, S/o M.K. Sivaraman Nair, aged 56 years, Store Keeper Grade II, Canteen Stores Department, Gandhi Nagar, Kochi, residing at Devikripa, Karumaloor, Manakkappady, Ernakulam 683511.
2. N.N. Viswambaran, S/o N.K. Narayanan, Aged 59 years, Store Keeper Grade II, Canteen Stores Department, Gandhi Nagar, Kochi, residing at Vismaya, Marottichodu, Karumallore, P.O. Manakkappady, Ernakulam 683511.

..... **Applicants**

(By Advocate – Mr.M.R.Hariraj)

V e r s u s

1. Union of India, represented by the Secretary, Ministry of Defence, New Delhi 110 001.
2. General Manager, Canteen Stores Department, Adelphy, 119, M.K. Road, Mumbai 400 020.
3. Area Manager, Canteen Stores Department, Gandhi Nagar, Kochi 682020.

..... **Respondents**

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

This Original Application having been heard on 07.11.2018, the Tribunal on the same day delivered the following in the open court:

O R D E R (ORAL)

Mrs.Rekha Vasudevan, appearing for Mr. M.R.Hariraj, learned counsel for the applicant, submits that the applicants in this case have been promoted as Store Keeper Grade I. The first applicant has been posted at Bareilly whereas the second applicant has been promoted and retained in his present station as Store Keeper Grade I on account of the fact that he has less than one year for superannuation.

2. The learned counsel for the applicants submitted that the O.A. can be closed giving liberty to the applicants to approach this Tribunal again, if there any fresh cause of action arises related to the transfer of the first applicant.

3. Mr. Thomas Mathew Nellimoottil, learned Sr.PCGC is present. He prays for vacation of the Interim Order dated 18.5.2018.

4. By recording the submission of the learned counsel for the applicant, the O.A. is closed with liberty as prayed for. M.A. 180/01141/18 is also closed. Interim Order dated 18.5.2018 stands vacated.

**(E.K.Bharat Bhushan)
ADMINISTRATIVE MEMBER**

sj*

List of Annexures of the Applicant in O.A. No. 180/00427/2018

Annexure A-1. True copy of relevant portion of Ministry of Defence (Group A&B post) Recruitment Rule 1979, as amended in 1980.

Annexure A-2 True copy of seniority list of Store Keeper as on 1/4/2017.

Annexure A-3. True copy of seniority of Assistant Manager as on 1/4 2017 published by letter No.D/AGM(P)/1109(Gp)"B'& 'C'/621 dated 7/9/2017.

Annexure A-4 A true copy of Memo No. 3/AGM(P)Gp 'B'& 'C'/621 dated 7.9/2017.

Annexure A5 - A true copy of the Office Order No. CSD/Establishment/100 dated 18/4/2018.

Annexure A6. - A true copy of the order dated 2/5/2018 in OA 378/2018.

Annexure A7 - A true copy of the Order No.3/Admn/A2/1291(Kochi) dated 16/5/2018 along with English translation is produced.

Annexure A8 A true copy of the memo No. Ref No. 3/Pers/A-2/1208/3622 dated 29/08/2003.

List of Annexures of the Respondents in O.A. No. 180/00427/2018

Annexure R1.: True copy of the 3/AGM/(P)/GP'B'&'C'/432 dated 04.06.2018.
