

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/01031/2016

Thursday, this the 25th day of October, 2018.

CORAM:

HON'BLE Mrs. P. GOPINATH, ADMINISTRATIVE MEMBER

HON'BLE Mr. ASHISH KALIA, JUDICIAL MEMBER

1. Promod M.G, 42 years,
S/o. M.K. Gopi,
Lascar Class I, Captain of Yard,
Naval Ship Repair Yard,
Naval Base, Kochi – 682 004.
 2. Mithun Vijay K., 34 years,
S/o. K.K. Vijayan,
Lascar Class I, Captain of Yard,
Naval Ship Repair Yard,
Naval Base, Kochi – 682 004.
 3. Martin K.J, 52 years,
Lascar Class I, Captain of Yard,
Naval Ship Repair Yard,
Naval Base, Kochi – 682 004.
 4. A.J. Sadish, 54 years,
Lascar 1st Class, Captain of Yard,
Naval Ship Repair Yard,
Naval Base, Kochi – 682 004.
 5. D. Sreekumar, 42 years,
S/o. Divakaran,
Lascar Class I, Captain of Yard,
Naval Ship Repair Yard,
Naval Base, Kochi – 682 004.
- Applicants

[By Advocate Ms. Leema Rosy]

Versus

1. Union of India represented by its Secretary,
Ministry of Defence, South Block,
New Delhi – 110 011.

2. Union of India represented by its Secretary,
Ministry of Shipping,
New Delhi – 110 011.
3. The Flag Officer Commanding-in-Chief,
Head Quarters, Southern Naval Command,
Naval Base, Kochi – 682 004.
4. The Admiral/Commodore Superintendent of Yard,
Naval Ship Repair Yard, Naval Base,
Kochi – 682 004. - Respondents

[By Advocate: Mr. P.R. Sreejith, ACGSC]

The application having been heard on 25.10.2018, the Tribunal on the same day delivered the following:

ORDER (Oral):-

Per: P. Gopinath, Administrative Member

Learned counsel for the applicants submits that the prayer in this O.A is a covered matter in a bunch of O.As 197/2014 and connected cases disposed on 01.03.2017.

2. The applicants being similarly placed is seeking the same relief. We direct the respondents to consider the claim of the applicants in this O.A in line with the order passed in O.A No. 197/2014 and connected cases cited above subject to availability of vacancies.

3. With the above direction, O.A is disposed of. No order as to costs.

(Dated, 25th October, 2018.)

(ASHISH KALIA)
JUDICIAL MEMBER

(P. GOPINATH)
ADMINISTRATIVE MEMBER

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Applicant's Annexures

- Annexure A1 - True copy of the certificate of competency as Serang issued to the 1st applicant, dated 08.10.2012 from the Port Department, Government of Kerala.
- Annexure A2 - True copy of the certificate of competency as Serang issued to the 2nd applicant, dated 24.09.2011 from the Port Department, Government of Kerala.
- Annexure A3 - True copy of the certificate of competency as Serang issued to the 3rd applicant, dated 01.11.2014 from the Port Department, Government of Kerala is produced herewith.
- Annexure A4 - True copy of the certificate of competency as Serang issued to the 4th applicant, dated 01.11.2014 from the Port Department, Government of Kerala.
- Annexure A5 - True copy of the certificate of competency as Serang issued to the 5th applicant, dated 09.11.2012 from the Port Department, Government of Kerala.
- Annexure A6 - True copy of the letter dated 24.02.2016, CP(NG)2852/GEN.
- Annexure A7 - True copy of the letter dated 16.08.2016, CP 9 NGO 3008 Merger/DPC
- Annexure A8 - True copy of the letter PA/03/5030/Misc. Dated 18.04.2016 of the 1st applicant.
- Annexure A9 - True copy of the letter PA/03/5030/Misc. Dated 01.04.2016 of the 2nd applicant.
- Annexure A10 - True copy of the letter PA/03/5030/Misc. Dated 10.05.2016 of the 3rd applicant.
- Annexure A11 - The true copy of the list of candidates for promotion to the post of Syrang of Lascar, calling for vigilance clearance, CS 2779 dated 31.08.2016.

Annexures of Respondents

- Annexure R-1 - Copy of Hon'ble Tribunal order dated 29 May, 2003
- Annexure R-2 - Copy of HQSNC letter dated 16 Mar 16.
- Annexure R-3 - NSRY (K) letter dated 21 Mar 16
- Annexure R-4 - Director of Ports, Government of Kerala letter dated 22 Apr 16
- Annexure R-5 - IHQ of MOD letter dated 16 Aug 16
