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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Applicaton No.180/00986/2018

Tuesday this the 4th day of December 2018

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

C.K.Ramachandran,
S/o.Krishnan Nair,
Retired Superintendent of Police.
Residing at Krishna Kripa,Mavinchuvadu,
Mukkattukara, Thrissur -680651.

...Applicant

(By Advocates Dr.K.P.Satheesan,Sr. along with MrP.Mohandas)

v e r s u s

1. Union of India,
Represented by the Secretary,
Ministry of Home Affairs, North Block,
NewDelhi-110001.
2. The Chairman,
Union Public Service Commission,
Shajahan Road, New Delhi -110001.
3. State of Kerala,
Represented by the Additional Chief Secretary,
Home Department, Government Secretariat,
Thiruvananthapuram -695 001.
4. State Police Chief,
Police Head Quarters,
Thiruvananthapuram -695 033.

...Respondents

**(By Advocates Mr.N.Anilkumar, SCGSC [R1],
Mr.Thomas Mathew Nellimoottil [R2], Mr.M.Rajeev, GP [R 3-4])**

This application having been heard on 4th December 2018 this
Tribunal on the same day delivered the following :

ORDER (O R A L)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Heard Shri.Sabu representing Dr.K.P.Satheesan, Sr., learned counsel for the applicant, Shri.Sinu G Nath, learned ACGSC for Respondent No.1, Shri.Thomas Mathew Nellimoottil, learned Sr.PCGC for Respondent No.2 and Shri.M.Rajeev, learned Government Pleader for Respondent Nos.3 & 4.

2. The relief sought in the O.A is to the effect that retirement of the applicant should not stand in the way of his being selected to the vacancies of the Indian Police Service from the State Police Service of Kerala pertaining to the year 2016. It is seen that as per Annexure A-1 which are the minutes of the Selection Committee constituted under Regulation 3 of the Indian Police Service (Appointment by Promotion) Regulations, 1955, eligible candidates have been listed. As per paragraph 8.2 of the same it is stated that the Committee has selected 13 officers wherein the applicant figures at Sl.No.7. There is a notation made at the end of the list that the name at Sl.No.7 has been included in the list provisionally subject to clearance in the disciplinary proceedings, criminal proceedings pending against him and grant of integrity certificate by the State Government. The prayer contained in the O.A is only to the effect that his retirement, which is at 56 years under the Kerala Government, should not prevent his name being considered. Shri.M.Rajeev, GP objected to this prayer on the ground that the selection has been completed and also on the ground that the applicant is a party respondent in O.A.No.180/869/2018. We do not find the objection valid.

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3. In the above circumstances, it is ordered that the applicant should not be excluded from selection for the sole reason that he has attained superannuation under Kerala Government service. However, it is further clarified that the conditions made in the notation referred to in the minutes, as per which he has been provisionally selected, are valid and selection of the applicant, if made, will be in accordance with the said conditions. The O.A stands disposed of. No costs.

(Dated this the 4th day of December 2018)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in O.A.No.180/00986/2018

- 1. Annexure A1** - True copy of the minutes of the selection committee meeting held on 4.7.2018.
 - 2. Annexure A2** - True copy of the order dated 31.7.2012 in O.A No.665/2012.
 - 3. Annexure A3** - True copy of the order dated 20.5.2015 in O.A No.364/2015.
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