

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00308/2018**

**Dated Monday the 5<sup>th</sup> day of March Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)**

Arbind Kumar Choudhary,  
Engineer & Ship Surveyor cum DDG (Tech),  
Merchantile Marine Department,  
Anchorgate Building, Rajaji Salai,  
Chennai.  
Pin 600001. ....Applicant

By Advocate M/s. G.A.Thiyagarajan

Vs

- 1.Union of India,  
rep by the Secretary,  
Ministry of Shipping,  
Transport Bhawan,  
1 Parliament Street,  
New Delhi 110001.
- 2.The Director General of Shipping,  
Directorate General of Shipping,  
9<sup>th</sup> Floor, Beta Building,  
I-Think Techno Campus,  
Kanjur Marg (East),  
Mumbai 400042. ....Respondents

By Advocate Mr. K. Rajendran

**ORAL ORDER**

**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To give an appropriate direction to the respondent to consider the representations dated 22.12.2018 and 06.02.2018 (Annexure A9) and to pass appropriate orders before taking any decision under Office Memorandum No. 22011/4/2013-Estt (D), Govt. of India Ministry of Personnel Public Grievances and Pensions (Department of Personnel and Training), dated 8<sup>th</sup> May 2017,

A. by regularizing the appointment of the applicant from the date of publication of UPSC recommendation to the applicant vide Annexure-I

B. by relaxing the applicants shortage of eligibility of two months and to include his name in the list of candidates eligible for promotion to the post of Deputy Chief Surveyor and pass such further or other orders as necessary to meet the ends of justice.”

2. It is submitted that the applicant who is presently working as Engineer & Ship Surveyor cum Deputy Director General of Shipping (Technical) at Chennai made representations on 22.12.2017 and 06.02.2018 requesting for a relaxation of two months in qualifying service for the post of Dy. Chief Surveyor. The said representations are pending for consideration. However, the respondents are proceeding with DPC to make promotions, overlooking the applicant's claim. Learned counsel for the applicant submits that the applicant would be satisfied if the respondents are directed to dispose of the representations within a time limit to be stipulated by this Tribunal and before the DPC recommendations are implemented.

3. Mr. K. Rajendran takes notice for the respondents and submits that if time is granted a detailed reply would be filed.

4. Be that as it may, keeping in view the limited relief sought by the learned counsel for applicant and without going into the substantive merits of the case, I deem it appropriate to direct the respondents to consider Annexures A12 and A13 representations of the applicant dt. 22.12.2017 and 06.02.2018 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order and preferably before promotions are effected based on the recommendations of the DPC.

5. OA is disposed of with the above direction at the admission stage.

**(R. Ramanujam)**  
**Member(A)**  
**05.03.2018**

SKSI