

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00107/2019

Dated Monday the 4th day of February Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

R. Subbiah
Flat F1, A Block, Prakash Galaxy
Plot No. 75, 4th Street, Annai Sathya Nagar
Nesapakkam, K.K. Nagar, Chennai – 78. ... Applicant

By Advocate M/s S. Shaji Paul

Vs.

The Union of India, represented by the
Secretary to the Government of India
Ministry of Human Resource Development
Shastri Bhawan, New Delhi – 110 001. ... Respondents

By Advocate Mr. Su. Srinivasan

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

Heard. The applicant has filed this OA seeking the following relief :

"treat this appointment from the date of preparation of panel and fix his seniority in terms of KVS (Appointment, Seniority and Promotion etc) Rules 1971 and fix his salary meant for the post of Administrative Officer and release the arrears of pay and allowances."

2. It is submitted that the applicant had filed OA 602/2011 which was disposed of by this Tribunal by an order dt. 20.01.2014 directing the respondents to grant promotion to the applicant as Administrative Officer forthwith on the basis of his selection for the said post by Direct Recruitment. Accordingly, the applicant was entitled to seniority and consequential benefits at par with those selected under Direct Recruitment at the relevant time. However, the respondents took their own time and complied with the order of the Tribunal only on 09.09.2014 which resulted in loss of seniority for the applicant.

3. Learned counsel for the applicant would point out that the applicant made Annexure A8 representation dt. 14.03.2018 in regard to his grievance which is still pending. It is urged that the respondents be directed to consider the same in accordance with law and pass a detailed reasoned and speaking order within a time limit to be set by the Tribunal.

4. Mr. Su. Srinivasan, SCGSC appears on behalf of the respondents and submits that the applicant had filed an MA in OA 602/2011 seeking the aforesaid benefit which was rejected by an order of this Tribunal by Annexure P7 order dt. 06.01.2015 observing that the grounds agitated in the MA were not

part of the OA which had already been disposed of by this Tribunal.

5. We have considered the matter. As Annexure P8 representation dt. 14.03.2018 is still pending before the competent authority, we are of the view that without going into the substantive merits of the case, this OA could be disposed of with a direction to the competent authority to consider the same in accordance with law and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

6. OA is disposed of with the above direction and without expressing any views on the merits of the case.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

04.02.2019

SKSI