

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.181/00342/2019

Thursday, this the 6th day of June, 2019

**Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member**

1. Mohammed Mukthar.V.K
S/o.Abdulla Koya, aged 29 years
Vedek Kunnimamel House
Agatti Island, Lakshadweep
Ph.8281476557
2. Malik Deenar.S.M
S/o.Hamsath, aged 28 years
Sara Manzil, Agatti Island
Lakshadweep
Ph.9946167112
3. Aboobacker P.K
S/o.Koyaassa K.C
Aged 38 years
Puthukotta House, Agatti Island
Lakshadweep
Ph.7907841267
4. Abdul Sameer K
S/o.Cheriya Koya.A
Aged 32 years, Kolalinoda House
Agatti Island
Lakshadweep
Ph.9388202665

..... **Applicants**

(By Advocate Mr.K.R Avinash)

V e r s u s

1. The Director of Panchayats
Directorate of Panchayaths – Lakshadweep
Lakshadweep Administration
Kavaratti, Lakshadweep – 682 553
2. The Executive Officer
Village (Dweep) Panchayath
Agatti Island, Lakshadweep – 682 553
3. The Veterinary Assistant Surgeon
Office of the Veterinary Assistant Surgeon
Agatti, Lakshadweep – 682 553

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4. The Principal, Government Secondary School, Agatti
Lakshadweep – 682 553

5. The Union of India, represented by its Secretary
Ministry of Human Resources, Shastri Bhavan
New Delhi – 110 001

..... **Respondents**

(By Advocate – Mr.Anil Ravi, ACGSC for R5 and Mr.S.Manu for R 1-4)

This Original Application having been heard on 6.6.2019, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

Per: Mr.E.K.Bharat Bhushan, Administrative Member

The applicants are residents of Agatti Island in Union Territory of Lakshadweep and are presently working under the respondents in different posts. They were originally appointed through the Dweep Panchayath and were engaged with break in service after a spell of 89 days. Applicants are stated to be continuing in service for the last 7 to 9 years, but less than 10 years.

2. In the Original Application they seek regularisation in the present employment and as an interim measure, prays for a direction from the Tribunal that they shall not be disengaged/terminated from their present employment in pursuance of Annexure A-1 order, pending disposal of this Original Application.

3. Today, learned Standing Counsel for the Lakshadweep Administration has filed a counsel statement as bench mark. He opposes the interim prayer and submits that in view of the order of the Hon'ble High Court in Writ

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Petition No.10290/2014, they are required to act in line with the directions contained therein. He submits that the case of the applicants for regularisation can be considered only in accordance with the Government of India scheme.

4. We are of the opinion that the Original Application can be disposed of at this stage by directing the applicants to file comprehensive representations before the first respondent who shall in turn consider the same and take appropriate decision in accordance with the scheme in existence. The representations shall be filed within 30 days from the date of receipt of a copy of this order and respondent no.1 shall thereupon consider the same within one month of receipt of their representations.

5. The Original Application stands disposed of. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures

Annexure A1 - True copy of the order F.No.12/4/2019-DOP/219 dated 28.3.2019 of the 1st respondent

Annexure A2 - The true copy of the recommendation letter dated 03.11.2011 of the 3rd respondent

Annexure A3 - True copy of the certificate dated 20.2.2011 issued to the 1st applicant

Annexure A4 - True copy of the Certificate dated 10.12.2010 of the 1st applicant

Annexure A5 - True copy of the order No.F.No.4/1/2012-VDP (AGT) dated 7.8.2012

Annexure A6 - True copy of the certificate of employment dated 17.4.2019 of the 2nd petitioner

Annexure A7 - True copy of the Diploma Certificate dated 5.7.2010 of the 2nd applicant

Annexure A8 - True copy of the Experience certificate dated 25.9.2012 issued to the 3rd applicant

Annexure A9 - True copy of the Course Certificate of the 3rd applicant

Annexure A10 - True copy of the order F.No.1/4/2008-VDP (AGT) dated 29.3.2010

Annexure A11 - True copy of the experience certificate dated 17.4.2019 issued to the 4th applicant

Annexure A12 - True copy of the Secondary School leaving Certificate of the 4th applicant

Annexure A13 - True copy of the Secondary School leaving Certificate of the 4th applicant

Annexure A14 - True copy of the driving license of the 4th applicant

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