

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
(CIRCUIT AT PORT BLAIR)**

No. O.A. 351/123/2013

Date of order: 04.06.2019

**Present:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Mr. N. Neihial, Administrative Member

Smti. Jolly Verghese, W/o Shri K.G. Verghese,  
working as Assistant Fisheries Development  
Officer, Directorate of Fisheries, Andaman &  
Nicobar Administration, R/o Dairy Farm, P.O  
Junglighat, Port Blair, South Andaman.

.. Applicant

-Versus-

1. Union of India service through the Secretary,  
(Ministry of Home Affairs, Govt. of India, Shastri  
Bhawan, New Delhi.
2. The Lt. Governor, Andaman & Nicobar  
Islands, Raj Niwas, Port Blair – 744101.
3. The Chief Secretary, A&N Administration,  
Secretariat Building Port Blair.
4. The Secretary (Fisheries), Andaman &  
Nicobar Administration, Secretariat Building  
Port Blair.
5. The Director of Fisheries, Directorate of  
Fisheries, Andaman & Nicobar Administration,  
Port Blair.

.. Respondents

For the Applicant : Mr. R. Singh, Counsel  
For the Respondents : Md. Tabraiz, Counsel

**ORDER (ORAL)**

**Ms. Bidisha Banerjee, Member (J):**

Heard Id. Counsels appearing for both the parties.

2. At hearing, Id. Counsel for the applicant pointed out that at the material time when the DPC was held in the year 1998, there were 6 vacancies of feeder post in the post of Assistant Fisheries Development Officer and the applicant stood at Serial No. 6 in terms of seniority when the DPC was held as reflected in the minutes of DPC, but strangely enough, he was promoted on adhoc basis. ✓

Respondents have failed to substantiate why the applicant could not be accommodated on regular basis against a suitable vacancy of the said post despite being eligible to be accommodated at one regular vacancy as on the date of DPC.

3. Ld. Counsel for the respondents very fairly submits that the matter can be remanded to the authorities for recalculation of vacancies that existed at the time when the DPC was held.

Ld. Counsel for the applicant submits that he has no grievance if the application is disposed of with a direction upon the respondents to recalculate such vacancies.

4. Accordingly, the O.A is disposed of with a direction upon the respondents authorities, to recalculate the available promotion quota vacancies for the post of Assistant Fisheries Development Officer as on 22.09.1998 when the DPC was held and to appropriately reconsider the applicant against a suitable regular vacancies on par with the other candidates who were considered and accommodated by virtue of the said DPC. Let appropriate order be issued within 3 months and result thereof be communicated to the applicant. Respondents shall also prepare and publish the Seniority list for promotion.

(N. Neelam)   
Administrative Member

(Bidisha Banerjee)   
Judicial Member