

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

No. O.A. 351/550/2017

Date of order: 03.06.2019

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

Shri Biswanath Chakraborty,
Aged about 48 years,
S/o Late G. Chakraborty,
Working as Junior Engineer (Electrical)
Marine Dockyard,
Directorate of Shipping Services,
Port Blair.

.. Applicant

-Versus-

1. The Union of India,
Through the Secretary, Ministry of Shipping,
Jahaj Bhavan, New Delhi – 110006.
2. The Administrator
Andaman & Nicobar Administration
Through the Chief Secretary,
Andaman & Nicobar Islands, Port Blair.
3. The Secretary (Shipping)
Andaman & Nicobar Administration
Port Blair.
4. The Director,
Directorate of Shipping Services,
Andaman & Nicobar Administration
Port Blair.
5. The Deputy Secretary (Shipping)
Directorate of Shipping Services,
Andaman & Nicobar Administration
Port Blair.

.. Respondents

For the Applicant : Ms. A. Nag
For the Respondents : Mr. S.K. Mondal

ORDER (ORAL)

Per Ms. Bidisha Banerjee, Member (J):

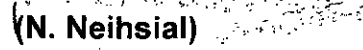
Heard the learned counsel for the parties. The applicant seems to be aggrieved that he is holding the post of Junior Engineer (Electrical) on ad hoc basis for long time despite his eligibility to hold the next higher post of Assistant Engineer (Electrical). The applicant has claimed that his service as Assistant Engineer (Electrical) is being extracted from him without properly and legally remunerating for discharging duties of the post. The applicant is aggrieved that since no steps have been taken to fill up the post of Assistant Engineer (Electrical) for long time, respondents should be directed to consider his case against a suitable vacancy for he holds diploma as required in terms of the Recruitment Rules for the post of Assistant Engineer (Electrical).

2. Learned counsel for the respondents having drawn our attention to the proposal initiated on 12.06.2013 to fill up the post of Assistant Engineer (Electrical) on regular basis would submit that since 2013, the matter is pending with the authorities. But admittedly thereafter no process has been initiated to advertise the post suitably to get it fill up appropriately in terms of the Recruitment Rules.

3. Since admittedly the applicant, by virtue of his service is entitled to be considered for promotion in terms of Recruitment Rules, we dispose of

the O.A., with the consent of the parties, with a direction upon the respondent authorities to make an honest endeavor to advertise the post in accordance with the Recruitment Rules and consider all the eligible candidates including the present applicant, if he is otherwise found eligible for promotion to the post of Assistant Engineer (Electrical), and pass appropriate order as expeditiously as possible, and at least within a period of three months from the date of receipt of a copy of this order. Applicant, if found eligible, shall be granted his due promotion in accordance with the Recruitment Rules.

4. No order as to the costs.


(N. Neihial)
Administrative Member


(Bidisha Banerjee)
Judicial Member