

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
(CIRCUIT AT PORT BLAIR)

No. O.A. 351/215/2015

Date of order: 03.06.2019

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

1. Shri P.S Hussain
S/o Late Suleman
R/o APWD Colony
Hut Bay, Little Andaman,
Andaman & Nicobar Islands
Presently performing and discharging the duties
as in the capacity of W.C Beldar in the office
of Assistant Engineer, Sub-Division -II, MID/
APWD, Hut Bay.

.. Applicant

-Versus-

1. The Union of India
Service through Secretary,
Ministry of Home Affairs,
New Delhi – 110001.
2. The Chief Secretary,
Secretariat, Port Blair,
South Andaman,
A&N Islands
3. The Chief Engineer,
APWD
Port Blair.
4. The Superintending Engineer,
CC-I, APWD
Port Blair.
5. The Assistant Engineer,
Sub-Division-II, MID
Hut Bay,
A&N Islands

.. Respondents

For the Applicant : Mr. R. George, Counsel

For the Respondents : Md. Tabraiz, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, Member (J):

Heard ld. Counsels for both parties.

2. The applicant who is presently discharging the duties in the capacity of W.C Beldar in the office of Assistant Engineer has prayed for the following reliefs:

"a) A mandatory order directing the Respondent authorities to consider the candidature of the applicant to the promotional post of Work Assistant (Work Charged) after promoting the applicant to the post of Mate with retrospective effect and consequential benefits.
b) An order directing the Respondent authorities to certify and transmit the records relating to the instant proceeding so that the conscionable justice.
c) Any other appropriate relief or reliefs, as Your Lordship may deem fit and proper."

3. At hearing, Ld. Counsel for both the parties agreed that the matter may be disposed of with a direction upon the Respondent No. 3, who is the Chief Engineer, to consider the grievance of the applicant treating this O.A as a comprehensive representation and to give him personal hearing, if required.

4. Accordingly, we dispose of this O.A with liberty to the applicant to make a comprehensive representation within 2 weeks before Respondent No. 3 and the said authority upon receipt is directed to consider the same in accordance with law and issue a reasoned and speaking order on such representation within a period of 2 months from the date of receipt of a copy of this order.

5. In the event, the applicant is found entitled to the claim he has sought for, the same shall be granted within one month thereafter. No costs.

6. A copy of this order along with paper book be sent to Respondent No. 3.

(N. Neihsial)
Administrative Member

(Bidisha Banerjee)
Judicial Member