

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

No. O.A. 351/1171/2017

Date of order: 04.06.2019

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

Nani Gopal Das,
Son of Late Lakhikanta Das,
Resident of Kadamtala
Middle Andaman
Andaman District
Working as Junior Engineer (Civil)
APWD, Port Blair

.. Applicant

-Versus-

1. The Union of India
Represented through the Secretary,
Ministry of Home Affairs,
New Delhi – 110001.
2. The Lieutenant Governor
A&N Islands
Raj Niwas, Port Blair
3. The Chief Secretary,
A&N Administration,
Secretariat Port Blair, A&N Islands
4. The Commissioner cum Secretary (PW)
Secretariat Port Blair, A&N Islands
5. The Chief Engineer
Andaman Public Works Department
Port Blair – 744101
Andaman and Nicobar Islands.

.. Respondents

For the Applicant : Mr. P.M Lal, counsel
For the Respondents : Mr. S. K. Mandal, counsel
: Mr. R. Singh, counsel for Private Respondent

ORDER (ORAL)

Ms. Bidisha Banerjee, Member (J):

This O.A has been filed by the applicant under Section 19 of the AT Act seeking the following reliefs:

"a) An order do issue directing the respondent authorities particularly the respondent No. 5 to strictly adhere to the Recruitment Rules and Modify/Alter the seniority list giving effect to the direction of the Apex Court.

b) An order directing the respondent authorities that till the final adjudication of matter by the Tribunal & till the Modification and Alteration of the Present

Seniority List, the respondents may be directed not to act upon by giving promotion in an arbitrary manner.

c) to issue a Rule by permanently fixing the criteria/parameters for promotion by Degree holders and Diploma holders channel for the promotion post of Assistant Engineer (civil) in Degree holders quota for Andaman Public Works Department.

d) Pass such further or other order(s) and/or direction(s) as to this Hon'ble Tribunal may deem fit and proper.

e) Cost of this application."

2. Heard Ld. Counsels for both sides.

3. At hearing, Id. Counsel for the applicant submitted that a representation, dated 03.07.2017 at Annexure A-6 to the O.A, is pending before the respondent authorities for consideration and that a direction may be issued to consider the pending representation within a specific time frame.

4. Accordingly, with the consent of both the parties and without entering into the merit of the matter, the OA is disposed of with a direction upon the Respondent No. 5 to dispose of the representation, dated 03.07.2017 at Annexure A-6 to the O.A , within 4 weeks from the date of receipt of a copy of this order and pass a reasoned and speaking order and in accordance with law. The decision so arrived at shall be communicated to the applicant forthwith. No costs.

(N. Neihisial)
Administrative Member

(Bidisha Banerjee)
Judicial Member