

**Central Administrative Tribunal
Ernakulam Bench**

O.A 180/00794/2019

Tuesday, the 5th day of November, 2019

CORAM

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

Omana K.C, aged 55 years
W/o.M.I.Viswanathan, Assistant Engineer (Civil),
Garrison Engineer (Air Force)
Thuruvical P.O
Pulayanar Kotta, Trivandrum – 685 031
residing at Chaithram, 7/682/B
Mavelipuram, Near Eurokids
Kakkanad, Kochi - 30 - Applicant

(By Advocate : Mr.R.Sreeraj)

Versus

1. Union of India represented by its Secretary
to the Government of India
Ministry of Defence, New Delhi-110 001
2. The Engineer-in-Chief's Branch
Director General (Pers)
Military Engineer Services
Integrated Headquarters of Ministry of Defence (Army)
Kashmir House, New Delhi – 110 011
3. The Garrison Engineer (Air Force)
Military Engineer Services
New Delhi – 110 001 - Respondents

(By Advocate: Mr.Anil Ravi,ACGSC)

The Application having been taken up on 5th November, 2019, this Tribunal delivered the following order on the same day:

O R D E R (Oral)

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

The applicant is aggrieved by the inaction on the part of the respondents in considering the applicant's candidature for promotion as Executive Engineer. The learned counsel for the applicant, Mr.R.Sreeraj, submits that there are 124 vacancies in the category of Executive Engineer which have become available between the years 2012-13 to 2015-16. The applicant has filed multiple representations, the latest of which is at Annexure A-6.

2. We are of the view that interests of justice will be met if we direct respondent no.2 to consider the representation filed by the applicant at Annexure A-6 and take a decision in accordance with the rules as expeditiously as possible and in any case within 45 days from the date of receipt of a copy of this order.

3. The Original Application is disposed of as above. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

List of Annexures

Annexure A-1 - True copy of the relevant portions of the SRO-95 of 2004

Annexure A-2 - True copy of the letter No.B/4 1006/RTI/ORC/E1 (DPC) dated 10.7.2019

Annexure A-3 - True copy of the All India Seniority list of AE(C) &AE (E/M) circulated as per letter No.B/41023/AISL/AE(Civ) and AE (E/M)/2016-17/E1(DPC) dated 19.7.2016

Annexure A-4 - True copy of the representation dated 18.6.2018 submitted by the applicant

Annexure A-5 - True copy of the letter No.MES/36/2019/EIB dated 27.5.2019

Annexure A-6 - True copy of the representation dated 21.8.2019 submitted by the applicant .

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