

CENTRAL ADMINISTRATIVE TRIBUNAL ERNAKULAM

Order Sheet

Item no.: 1
M.A./381/2022 (ERNAKULAM)
In
O.A./648/2021
PROMOTION
M.A./382/2022
Court No.: 1

No of Adjournment:

Order Dated: 27/05/2022

**SURYA S
Vs
POST KERALA CIRCLE**

For Applicant(s) Advocate : Mrs. Rekha Vasudevan

For Respondent(s) Advocate : Mrs. O. M. Shalina, SCGSC

Order of The Tribunal

Counsel for the M.A applicant is present and produces a copy of the interim order passed in a similar matter in M.A 362/2022 on O.A 633/2021. Counsel for the respondents is also present. Counsel for the applicant in O.A has filed an M.A 381/2022 for amending the O.A. In view of Annexure A10 to A13 notifications for conducting of Limited Departmental Competitive Examination (LDCE) issued on 10 December 2021, i.e., after the filing of the O.A. M.A for amendment is allowed. Counsel for the applicant is directed to file an amended O.A and also indicate the corrections in the original O.A.

Counsel for the applicant also files M.A 382/2022 seeking a direction from this Tribunal to allow the applicant to submit their application for the LDCE manually and to permit them to provisionally participate in the LDCE proposed to be conducted in view of Annexure A13 notification. She also submits that the last date of receipt of such applications is 30.05.2022.

Counsel for the respondents objects to issue a direction stating that the matter has changed due to the fact that the post for which the applicants are now seeking promotion is no longer similar to the one for which they are eligible as per earlier Recruitment Rules and that the level of the post itself has changed.

In view of the above, the balance of convenience lies in allowing the prayer of the applicant for writing the LDCE on the date and time that has been fixed for the same. Accordingly, this Tribunal directs the respondents to accept the manual application submitted by the applicants herein and permit them to participate in the examination and keep the result in a sealed cover and produce it before this Tribunal as and when directed. The respondents are also directed to file a detailed reply statement on or before the next date of posting.

M.A 382/2022 is disposed of as above.

Post the matter to 27.06.2022.

Issue copy of the order to learned counsel on both sides.

K V Eapen
Member (A)

/bp/