

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No. 18538 of 2015 (N)

PETITIONER(S):

**P.A VARGHESE, AGED 46 YEARS,
ASSISTANT DIRECTOR (EXCISE)
RUBBER BOARD OF INDIA,
PARUTIKUNNEL HOUSE
RUBBER BOARD, COLONY, PUTHUPALLY, KOTTAYAM.**

**BY ADVS.SRILAL GEORGE
SMT.LAKSHMI V.PARAMESWARAN**

RESPONDENT(S):

**1. SECRETARY TO GOVERNMENT
MINISTRY OF COMMERCE AND INDUSTRY,
DEPARTMENT OF COMMERCE
UDYOG BHAVAN, NEW DELHI - 11.**

**2. RUBBER BOARD OF INDIA
P.B.NO.1122, SUB JAIL ROAD, KOTTAYAM
REPRESENTED BY ITS SECRETARY.**

**3. UNION OF INDIA
REPRESENTED BY SECRETARY
MINISTRY OF TRADE AND COMMERCE, NEW DELHI - 1.**

**R1 BY ADV.SMT.PREMLATHA K.NAIR
R BY SRI.V.ABRAHAM MARKOS
R BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 18538 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: TRUE PHOTOSTAT COPY OF ANNUAL PERFORMANCE ASSESSMENT
REPORT DATED 16.1.2015**

EXT.P-2: TRUE PHOTOSTAT COPY OF THE REPRESENTATION DATED 22.1.2015

EXT.P-3: TRUE PHOTOSTAT COPY OF THE COMMUNICATION DATED 27.3.2015

EXT.P-4: TRUE PHOTOSTAT COPY OF THE APPEAL DATED 10.4.2015

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.18538 OF 2015 (N)

Dated this the 30th day of June, 2015

J U D G M E N T

The petitioner, who is presently working as Assistant Director (Excise) in the Rubber Board of India, is aggrieved by the non-consideration of his candidature for promotion to the post of Deputy Director (Excise) in the Rubber Board. Against a decision of the Chairman of the Rubber Board refusing to expunge the adverse remarks entered against the petitioner for the year 2013-14, the petitioner has preferred Ext.P4 appeal before the 1st respondent in terms of Rule 19 of the Rubber Board Service (CCA) Rules, 1961. The limited prayer of the petitioner in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P4 appeal, after hearing the petitioner, expeditiously.

2. I have heard the learned counsel for the petitioner as also the learned Standing counsel for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I direct the 1st respondent

to consider and pass orders on Ext.P4 appeal preferred by the petitioner, before him, within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner. The petitioner shall produce a copy of the writ petition along with a copy of this judgment before the 1st respondent, for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp