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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1060/2002

New Delhi, this the 23th day of April, 2002

Hon'ble Dr. A.Vedavalli, Member (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Shri K.N.Vohra,
Assistant Director (Retired)
(Customs and Central Excise)
DDA MIG Flat No.309
Parshad Nagar
New Delhi - 100 005.

...Applicant

(By Advocate Shri M.K.Bhardwaj through proxy
counsel Shri A.K.Bhardwaj)

V E R S U S

UNION OF INDIA : THROUGH

1. The Secretary
Ministry of Finance
Department of Revenue
Central Secretariat
North Block
New Delhi - 110 001.
2. The Chairman
Central Board of Excise and Custom
North Block, New Delhi - 110 002.
Director General
Preventive Operations, Customs and Central
Excise.
3. The Director (Preventing Operation)
4th Floor, Lok Nayak Bhawan
Khan Market, New Delhi.
4. The Pay and Accounts Officer
Central Pension Accounting Office
Trikut - 2 Complex
Bhikaji Cama Place
New Delhi - 66.

...Respondents

O R D E R (ORAL)

By Hon'ble Dr. A.Vedavalli,

At the request of the ld. counsel for the
applicant, matter is being disposed of at the
admission stage itself.

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2. It is seen from the order of the respondents dated 25-5-2001 (Annexure A-2) that the competent authority (President of India) after considering the IO's report, CO's submissions thereon and totality of the facts, in the disciplinary proceedings initiated against the applicant Shri K.N.Vohra, Asstt. Director (Retd), has taken a lenient view and has decided to convey displeasure of the Government to him. (2)

3. Thereafter, the applicant submitted a representation dated 21-6-2001 (Annexure A-5) seeking the grant of senior scale after opening the sealed cover. As there was no response from the respondents regarding his aforesaid representation for quite some time, the applicant approached this Tribunal by filing the present OA. He seeks the following reliefs in this OA :-

- a) to open the sealed cover of recommendations of DPC held in 1995 and consider the case of the applicant for grant of senior scale of Rs. 3000-100-3500-125-4000 on completion of four years of service as class I.
- b) to direct the respondents to grant the senior scale of Rs. 3000-100-3500-125-4000 to the applicant with arrear of pay and other consequential benefits such as revision of pensionary benefits.

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4. In the above facts and circumstances of the case, the OA is disposed of with a direction to the respondents to examine the aforesaid representation dated 21-6-2001 (Annexure A-5) on its merits in the light of the relevant rules, instructions and judicial pronouncement, on the subject and dispose of the same with a detailed and speaking order under intimation to the applicant within two months from the date of receipt of a copy of this order. A copy of the OA may be sent to the respondents along with the copy of the order.

(GOVINDAN S. TAMPI)
MEMBER (A)

/vks/

A. Vedarathi
(DR. A. VEDAVALLI)
MEMBER (J)