

CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI.

O.A.210/00840/2019

Date of decision : December 13, 2019.

Coram: Dr.Bhagwan Sahai, Member (Administrative)  
R.N. Singh, Member (Judicial).

Smt. Janabai Danabhai Wagh  
Age-66 years,  
Ex-Safaiwala,  
Residing at: Room No.150,  
Behind Khimji Nagji Chawl No.9,  
Senapati Bapat Marg,  
Lower Parel,  
Mumbai-400 013.

.. Applicant.

( By Advocate Shri Vicky Nagrani ).

**Versus**

1. Union of India  
Through the Secretary,  
Ministry of Finance,  
Department of Revenue,  
North Block,  
New Delhi-110 001.
2. Directorate of Logistics,  
Customs and Central Excise,  
4<sup>th</sup> floor, Lok Nayak Bhavan,  
Khan Market,  
New Delhi-110 001.
3. Additional Directorate (Marine)  
Customs Marine Headquarters,  
Transport house, 4<sup>th</sup> Floor,  
Poona Street, Masjidbunder (E),



Mumbai-400 009.

4. Commissioner of Central Excise,  
Marine Preventive,  
Piramal Chambers,  
9<sup>th</sup> Floor, Lalbaug, Mumbai 400 012.
5. Additional Commissioner of  
Customs (Prev) Marine &  
Preventive Wing,  
2<sup>nd</sup> Floor, Everest House,  
Marine Dr, Maharashtra-400 002.

.. Respondents.

O R D E R (O R A L)

Per : R. N. Singh, Member (Judicial)

**Present.**

1. Shri Vicky Nagrani, learned counsel for the applicant.
2. Heard the learned counsel for the applicant.
3. As contended by the learned counsel for the applicant, the precise fact leading to the present OA filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 is that though the applicant has been regularized under the services of the respondents w.e.f. 22.07.2013, however, the applicant is entitled for being regularized with antedated effect. To this effect, the applicant is stated to have made



a representation. However, even after lapse of more than a year, the same has not been decided by the respondents till date.

4. The learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of at this very stage with direction to the respondents to consider the aforesaid representation of the applicant dated 24.07.2018 (Annexure A-8) in a time-bound manner. He further seeks liberty to make an additional representation.

5. In the facts and circumstances, we are of the considered view that if such request of the applicant is accepted, no prejudice is likely to be caused to the respondents.

6. In view of the aforesaid, without going into the merit of the claim of the applicant and limitation involved, if any in such claim, the OA is disposed of with liberty to the applicant to make an additional representation, if any, within 15 days from the date of receipt of a certified copy of this order and in case such additional representation is received by the respondents



within the time stipulated herein, the respondents shall consider the applicant's representation dated 24.07.2018 (Annexure A-8) along with the additional representation preferred by him and dispose of the same by passing a reasoned and speaking order within 10 weeks thereafter.

7. The OA is disposed of in the aforesaid terms.

8. No order as to costs.

(R. N. Singh)  
Member (J)

(Dr. Bhagwan Sahai)  
Member (A)

V.