

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA-271/94 in
OA-1114/94

(A)

New Delhi this the 31st Day of August, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Acting Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Shri Dharam Pal,
Inspector Customs & Central Excise,
R/o C-1131, Tigri,
New Delhi-110 062. Review Applicant

(through Sh. K.B.S. Rajan)
versus

1. The Union of India,
through the Secretary,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi.
2. The Collector of Customs,
Customs House,
I.P. Estate,
New Delhi-110 002. Respondents

ORDER

delivered by Hon'ble Mr. B.N. Dhoundiyal, Member(A)

This application has been filed
by the applicant in OA-1114/94 seeking a review of
the order of this Tribunal dated 30.05.94.

2. The sole ground for review is that out
of the three contentions advanced by the applicant
only two have been covered in the judgement and it
does not mention the third ground, namely, that the
prolonged continuance of suspension is unjustified.
It is contended that in a number of cases where the
applicant had undergone period of suspension which
was even less than that already undergone by the
applicant, the suspension order was quashed.

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3. In para-5 of the judgement, a reference has been made to the contention that persons who had worse cases than the applicant have had their orders of suspension revoked. The Tribunal held that in the absence of any material on record of those cases, no finding could be recorded and clear observation was made that the Collector Customs acted rationally in rejecting the representation of the applicant. In his representation, the applicant had already mentioned that prolonged suspension was not justified. His case was reviewed by the competent authority who vide its order dated 12.5.94 intimated that it was not found fit to revoke his suspension. It is, therefore, not correct to say that this aspect has not been covered in the aforesaid judgement.

4. The review application fails and is hereby dismissed.

B.N. Dhoundiyal
(B.N. Dhoundiyal)
Member(A)

S.K. Dhaon
(S.K. Dhaon)
Acting Chairman

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