

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No.1790 of 1995

(b)

New Delhi, dated the 10th May, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Shri Akhil Kumar,
S/o Shri Raisa Chander,
under Asstt. Collector,
MCD-IV,
Delhi-110092.
2. Shri Bausidhar Pradhan,
S/o Shri Balram Pradhan,
MOD-III.
3. Shri Raghbir Singh,
S/o Shri Chattar Singh,
Under Central Excise,
MOD-II.
4. Shri Naresh Chander,
S/o Shri Mahavir Prasad,
Under Asstt. Collector,
Central Excise,
Gurgaon.
5. Shri Rama Shankar,
S/o Shri Ram Harak,
Central Excise,
Gurgaon.
6. Shri Ram Harak,
S/o Shri Bachu,
Central Excise,
Rohtak.
7. Mrs. Ram Wati
C/o Asstt. Commissioner,
Faridabad.
8. Mrs. Raj Kaur,
C/o Asstt. Commissioner,
Faridabad.
9. Shri Akshay Kumar,
C/o Asstt. Commissioner,
MOD-IV,
Delhi.
10. Shri Balraj,
C/o Asstt. Commissioner,
Faridabad.
11. Shri Ravi Kumar,
S/o Shri P. Gurappa,
Central Excise,
Headquarters,
New Delhi.

..... APPLICANTS

(By Advocate: Shri B.S. Maine)

VERSUS

1. The Secretary,
Ministry of Finance,
Central Board of Excise & Customs,
North Block,
New Delhi.
2. The Commissioner of
Central Excise,
C.R. Building, I.P.Estate,
New Delhi.
3. The Addl. Commissioner (F&E),
Central Excise,
C.R. Building,
New Delhi. RESPONDENTS

(BY Advocate: Shri R.R. Bharti)

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

We have heard Shri B.S. Mainee for the applicants and Shri R.R. Bharti for the Respondents.

2. We note that the applicants were granted temporary status vide order dated 8.12.1993, but the same has been unilaterally withdrawn by the Respondents vide impugned order dated 11.9.95 on the ground that the applicants were not sponsored through the Employment Exchange, which was a necessary requirement before temporary status would be conferred upon them.

3. Once having granted the applicants the benefit of temporary status, the Respondents should not have unilaterally withdrawn the same, without giving the applicants an opportunity to show cause, even if, according to the Respondents, the applicants had not been sponsored through the Employment Exchange and therefore ~~they were~~

A

(8)

not entitled to such temporary status.

4. In the result this O.A. is allowed to the extent that the impugned order dated 11.9.95 is quashed and set-aside, with liberty granted to the Respondents to proceed further in the matter strictly in accordance with ~~the~~ law. No costs.

Lakshmi Swaminathan

(Mrs. LAKSHMI SWAMINATHAN)
Member (J)

Adige

(S.R. ADIGE)
Member (A)

/GK/