



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 3406/2015

This the 15th day of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

K.K. Singh, Superintendent of Customs (P)
Aged about 48 years
S/o Sh. V.N. Singh
R/o 20/33, Lodhi Colony
New Delhi.

... Applicant

(By Advocate :Shri M.K. Bhardwaj)

Versus

UOI &Ors. Through

1. The Secretary
Ministry of Finance
North Block, New Delhi.
2. The Chairman
CBEC, North Block, New Delhi.
3. The Commissioner of Customs (General)
New Custom House
Ballard Estate, Mumbai.
4. The Additional Director General (HRM)
DGHRD, Central Board of Excise and Customs
409/8, Deep Shikha, Rajendra Place
New Delhi-110008.

... Respondents

(By Advocate :Shri Hanu Bhaskar and Sh. Gyanendra Singh)

**ORDER (Oral)****Justice L. Narasimha Reddy, Chairman:**

The applicant was holding the post of Superintendent of Customs (P) when he filed this OA. He filed this OA with three prayers. First prayer is to quash the seniority list dated 04.09.2013 issued by Mumbai Customs House. He has also claimed relief in respect of seniority list dated 22.05.2012 as amended on 25.02.2015. The second prayer is to declare the action of the respondents in not fixing his seniority in the Grade of Superintendent of Customs (P) by treating his promotion as Customs Superintendent against the vacancies for the year 2002-03 as illegal, arbitrary and to issue appropriate directions. The third prayer is about the implementation of the catch up rule vis-à-vis the promotions that have taken place by reservation to the post of Superintendent.

2. The respondents have filed a detailed reply dealing with each and every contention raised by the applicant, both on facts and law.

3. We heard Sh. M.K. Bhardwaj, learned counsel for the applicant and Sh. HanuBhaskar and Sh. Gyanendra Singh, learned counsel for the respondents.



4. Learned counsel for the applicant submits that in view of the developments that have taken place during the pendency of the OA, his client is not pressing the reliefs in prayer (i) and (ii). As regards the third limb of the relief, the applicant filed a representation as recently as on 04.01.2021 mentioning the adjudication that has taken place in the Hon'ble High Court in the recent past.

5. In view of these developments, we dismiss the OA insofar as the reliefs in paragraph (i) and (ii) of the reliefs are concerned. The OA is disposed of directing the respondents to pass orders on the representation dated 04.01.2021 submitted by the applicant, within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

lg/mbt/ns/sd