

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **15<sup>th</sup>** day of **October**, 2020

Present:

**Hon'ble Mrs. Justice Vijay Lakshmi, Member-J**

**Hon'ble Mr. Devendra Chaudhry, Member-A**

**Original Application No. 330/0574/2020**

(U/S 19, Administrative Tribunal Act, 1985)

1. Prabhakar Sharma S/o Shri H.P. Sharma aged about 51 years, R/o 76, Bhawna Estate, Sikandra, Agra Presently holding the post of Superintendent, CGST & Central Excise, Division II, Commissionerate, Agra.
2. Desh Raj Singh S/o Late Harcharan Singh, aged about 56 years, R/o Room No. 105, Amba Guest house, Madiya Katra, Firozabad Presently holding the post of Assistant Commissioner, CGST & Central Excise, Firozabad.
3. Smt. Meena Shukla Widow of M.C. Shukla, aged about 60 years, R/o C-69, Sector 'O', Aliganj, Lucknow, retired Assistant Commissioner CGST & Central Excise, Ex. Commissionerate, Lucknow.
4. Ajay Kumar Singh S/o Shri J.P. Kushwaha, aged about 47 years, R/o D-583, Kamla Nagar, Agra Presently holding the post of Senior Intelligence Officer, Directorate General of GST Intelligence, Regional Unit, Agra.
5. Ajay Pal Singh S/o Shri Charan Singh, aged about 54 years, R/o 83, Tiwaripur, Jajmou, Kanpur Presently holding the post of Superintendent (Tech), CGST& Central Excise, Division, A-8, Kadamb Vihar Mathura.
6. Ajay Sharma S/o Shri Chaitanya Shanker Sharma, aged about 52 years, R/o 33, Vaishali Colony, Sector-15, Karkunj, Agra Presently holding the post of Superintendent, CGST & Central Excise, Division-1<sup>st</sup>, Commissionerate, Agra.
7. Akhilesh Singh S/o Shri Surendra Singh, aged about 53 years, R/o 301, Vinayak Apartment, Ring Road, Vijaya Nagar, Agra Presently holding the post of Superintendent, ICD-Agra, Customs (Prev.) Commissionerate, Lucknow.

8. Amit Kumar S/o Late Chhitermal Agarwal, aged about 50 years, R/o 99, Amita Bihar, Karmyogi Enclave, Kamla Nagar, Agra Presently holding the post of Superintendent, H.Q. CGST & Central Excise Commissionerate, Agra.
9. Anil Kumar S/o Late Onkar Nath Gupta, aged about 60 years, R/o 95-North, Vijay Nagar colony, Agra Presently holding the post of Superintendent, CGST & Central Excise, Division-I, Commissionerate, Agra.
10. Atul Bhagoliwal S/o Shri Kunwar Bihari Lal Bhagolwal, aged about 50 years, R/o 117/L/263, Naveen Nagar, Kakadeo, Kanpur Presently holding the post of Superintendent, CGST & Central Excise, Range-Mainpuri, Division-Farukhabad, Commissionerate, Kanpur.
11. Gajendra Singh Jatav S/o Late Gopal Chandra, aged about 59 years, R/o Uma Nagar, Dori Nagar, Post Bhadishi, Aligarh Presently holding the post of Superintendent, CGST & Central Excise, Range II, Aligarh.
12. Hirendra Kumar S/o Late Ram Lotan, aged about 50 years, R/o 2/5, Vibhav Nagar, Firozabad Presently holding the post of Superintendent, CGST & Central Excise, Division-Firozabad.
13. Indra Kumar Narwani S/o Late R.M. Narwani, aged about 60 years, R/o H.No. 10, Phase-2, Brij Vihar, Kamla Nagar, Agra, retired from the post of Superintendent, CGST & Central Excise, Commissionerate, Agra.
14. Kiran Pal Singh S/o Shri Ram Gopal Singh, aged about 49 years, R/o 301, Janki apartment, Janakpuri, Aligarh Presently holding the post of Superintendent (Tech), CGST & Central Excise, Division, Aligarh.
15. Mahendra Singh Bhandari S/o Late R.S. Bhandari, aged about 61 years, R/o 454, MIG Sector-10, Awas Vikas colony, Sikandra, Agra retired as Superintendent, from CGST & Central Excise Commissionerate Agra.
16. Manish Bhatnagar S/o Shri C.P. Bhatnagar, aged about 52 years, R/o house no. 224, Nehru Nagar, Agra Presently holding the post of Superintendent, CGST & Central Excise, Range-VIII, Agra.
17. Pankaj Kumar Singh S/o Late Ram Pratap Singh, aged about 50 years, R/o F-275, Kamla Nagar, Agra Presently holding the

post of Superintendent, CGST & Central Excise, Commissionerate, Agra.

18. Pradeep Kumar Sharma S/o Late Radhey Shyam, aged about 58 years, R/o Village & Post-Jaitpur Kalan, Agra Presently holding the post of Superintendent, CGST & Central Excise, Commissionerate Agra.
19. Shree Prakash Nainwal S/o Shri Narayan Dutt Sharma, aged about 52 years, R/o 23/1, Amrik Vihar, Shivpuri Road, Jhasi, Presently holding the post of Superintendent, Export Promotion Circle, Kanpur Customs (Preventive), Commissionerate, Lucknow.
20. Sanjay Kumar S/o Late I.D. Sagar, aged about 50 years, R/o A-605, Aparna Panchsheel, Sector-16B, Awas Vikas, Sikandra, Agra Presently holding the post of Superintendent, CGST & Central Excise, Range VII, Division-II, Commissionerate, Agra.
21. Suresh Chandra S/o Shri Prakash Narayan Saxena, aged about 51 years, R/o 1/578, New Vishnupuri, Ext. Surendra Nagar, Aligarh, Presently holding the post of Superintendent, CGST & Central Excise, Range-Kosikalan, Division, Mathura.
22. Sushil Kumar S/o Late Mahendra Pal Singh, aged about 51 years, R/o H-13, Vikram Colony, Aligarh, Presently holding the post of Superintendent, CGST & Central Excise, Range-Hathras, Division-Aligarh.
23. Yashwant Kumar Singhal S/o Shri Deep Chandra Singhani, aged about 57 years, R/o 1699, Wakshi Ka tabela, Hathras, Presently holding the post of Superintendent (Vigilance), CGST & Central Excise, Commissionerate, Agra.
24. Adal Singh S/o Late Moti Lal, aged about 64 years, R/o 52, KV Nagar, Near Ajeet Nagar, Agra retired from the post of Superintendent, CGST & Central Excise Commissionerate, Agra (erstwhile CE Division, Agra).
25. S.P.S. Nirmal S/o Late Angna Ram, aged about 64 years, R/o 32, Kabir Enclave, Dayal Bagh, Agra retired from the post of Superintendent, CGST & Central Excise Commissionerate, Agra.
26. Jitendra Singh S/o Late Raj Pal Singh, aged about 65 years, R/o 58, Ashok Nagar, Agra retired from the post of Superintendent, CGST & Central Excise, Commissionerate, Agra (erstwhile Central Excise Division Agra).

27. Updeo S/o Shri Rajendra Singh, aged about 63 years, R/o H-21, Vikram Colony, Aligarh retired from the post of Superintendent, CGST & Central Excise, Division-Aligarh.
28. Prem Singh S/o (Late) Shri Devi Singh, aged about 57 years, R/o HIG, D-860, Kalindi Vihar, Agra Presently holding the post of Superintendent, CGST & Central Excise, Division, Aligarh.

.....Applicants.

By Advocate – Shri A.K. Pandey

### **VERSUS**

1. Union of India through Revenue Secretary, Ministry of Finance, North Block, New Delhi.
2. Chairman, Central Board of Indirect Taxes & Customs, North Block, New Delhi.
3. Principal Chief Commissioner, CGST & Central Excise, & CX, Lucknow Zone, Lucknow.
4. Commissioner, CGST & Central Excise, Commissionerate, Agra.
5. Deputy Commissioner (P&V) CGST & Central Excise, Commissionerate, Agra.

.....Respondents.

By Advocates : Shri L.P. Tiwari.

### **ORDER**

#### **Delivered By Hon'ble Mrs. Justice Vijay Lakshmi, Member.J :**

Shri A.K. Pandey, learned counsel for the applicants and Shri L.P. Tiwari, learned counsel for the respondents, both are present, through Video Conferencing.

2. The applicants are the employees of Customs and Central Excise (CGST) working in the rank of Superintendents and above. Their grievance is that though the respondents vide order dated 29/30.07.2019 have granted NFSG to all the applicants but no actual payment has been made to them so

far. Even the representations made by the applicants have not yet been decided by the respondents.

**3.** Learned counsel for the applicants submits that the applicants will be satisfied at this stage, if the concerned respondent, who is the competent authority, is directed to decide their pending representations in a time bound manner by passing a reasoned and speaking order.

**4.** To the contrary, learned counsel for the respondents has raised objection by pointing out some minor defects in drafting of the OA.

**5.** In view of the limited prayer made by the applicants, at this stage, no useful purpose will be served in keeping this matter pending and it is finally decided at the admission stage with a direction to the respondent, who is the competent authority, to decide the pending representations, preferred by the applicants, by a reasoned and speaking order, in accordance with law, within a period of three months from the date of receipt of a certified copy of this order.

6. The order so passed on the representations shall be communicated to each of the applicants separately without any delay.

7. It is made clear that we have not expressed any opinion on merits of the case.

8 With the aforesaid direction, OA is finally disposed of.

9. No order as to costs.

10. Hon'ble Shri Devendra Chaudhry, Member (Administrative) has consented to this order during video conferencing.

**(Devendra Chaudhry)**  
Member (A)

**(Justice Vijay Lakshmi)**  
Member (J)

**/M.M/**