

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

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MA. 350/249/2020

Date of Order: 31.07.2020

OA. 350/1534/2018

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Amit Ghosh, son of late Ajit Kumar Ghosh, aged about 50 years, residing at Khardah Bosepara, Madhurmath, Kolkata - 700117 and at present suspended from the post of Head Havaldar in the office of Commissioner of Customs (Administration & Airport), 15/1, Strand Road, Kolkata- 1.

..... Applicant.

-Versus-

1. Union of India, service through the Secretary, Ministry of Finance, Dept. of Revenue, Govt. of India, North Block, New Delhi – 110001.
2. The Chairman, Central Board of Excise & Customs, Government of India, Ministry of Defence, Ministry of Finance, Department of Revenue, Government of India, North Block, New Delhi – 110001.
3. The Principal Commissioner of Customs (Administration & Airport), Custom House, 15/1, Strand Road, Kolkata – 700001.
4. The Commissioner of Customs (Administration & Airport), Custom House, 15/1, Strand Road, Kolkata – 700001.
5. The Additional Commissioner of Customs (Administration & Airport), Custom House, 15/1, Strand Road, Kolkata – 700001.
6. The Joint Commissioner of Customs (Administration & Airport), Custom House, 15/1, Strand Road, Kolkata – 700001.



7. The Deputy Commissioner of Customs (Vigilance), Custom House, 15/1, Strand Road, Kolkata – 700001.
8. The Commissioner of Custom (Preventive), West Bengal, Custom House, 15/1, Strand Road, Kolkata – 700001.
9. The Directorate of Revenue Intelligence, Kolkata Zonal Unit, 8, Ho Chi Minh Sarani, Kolkata 700071.

.....Respondents.

For the Applicant (In MA): Mr. A. Roy, Counsel
Ms. P. Goswami, Counsel

For the Respondent (In MA): Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

ORDER (ORAL)

Bidisha Banerjee, Member (J):

Heard both.

2. The M.A has been preferred by the respondents in O.A. for early hearing of the O.A.
3. Ld. Counsel for the MA, Mr. A. Roy, submits that due to an interim order granted by this Tribunal, the disciplinary proceedings initiated against the applicants could not be concluded with a final order.
4. Ld. Counsel for OA applicant urges that proceedings be directed to be concluded with a final order, in accordance with law, but in the event the order goes against the applicant, the applicant should be at liberty to agitate in accordance with law.



5. We feel that it goes without saying that the applicant shall have his legal recourse if aggrieved with the final order.

6. Therefore, in view of the submissions made at the Bar, we permit the authorities to conclude the disciplinary proceedings initiated against the applicant with final orders, in accordance with law, within a period of 4 weeks and to communicate the final orders to the applicant forthwith.

7. With the aforesaid direction, both the MA and the OA stands disposed of.
No costs.



Dr. Nandita Chatterjee)
Member (A)

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(Bidisha Banerjee)
Member(J)