

Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.2275/2004 and M.A.No.1898/2004

**Hon'ble Mr.Justice V.S. Aggarwal, Chairman
Hon'ble Mr.S.K.Naik, Member(A)**

New Delhi, this the 23rd day of September, 2004

1. **Prabhu Daswani**
2. **J.P.C. Sharma**
3. **Kamni Aggarwal**
4. **Budh Prakash**
5. **Suman Sharma**
6. **Kawal Diwan**
7. **Ramesh Kumar Ahuja**
8. **Rajkumari Madan**
9. **Anil Kumar Dhall**
10. **Chander Kala**
11. **Badar Singh Pawar**
12. **Prem Batra**
13. **Ram Kanwar Madan**
14. **V.P.Dhyani**
15. **B.S.Aswal**

**All C/o Prabhu Daswani
S/o Assan Dass Daswani
R/o H.No.WZ 166
Gali No.4-A, Ram Chowk
Shad Nagar, Palam Colony
Delhi – 45.** ... **Applicants**
(By Advocate: Shri Jagdev Singh, proxy for Dr. Surat Singh)

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Versus

1. **Union of India**
Through Commissioner
Central Excise & Customs
CR Building, I.P.Estate
Delhi.
2. **Commissioner**
Commissionerate of Central Excise & Customs
Delhi IV, CGO Complex, NH-4
Faridabad – 121 001
Haryana.
3. **Commissioner**
Commissionerate of Central Excise & Customs
Vinijaya Nikunj, Udyog Vihar
HIDC, Phase-IV
Gurgaon, Haryana.
4. **Commissioner**
Commissionerate of Central Excise & Customs
Makrauli House, Shiella Bypass
Rohtak-Haryana. Respondents

Order(Oral)

By Justice V.S. Aggarwal, Chairman

The applicants on an earlier occasion, had filed OA 200/2004. It was decided on 10.2.2004. Learned counsel for the applicants had withdrawn the petition and had stated that he would file a representation in this regard.

2. The representation has been filed copy of which is Annexure-A/8 addressed to the Commissioner, Central Excise and Customs but according to the learned counsel, decision in this regard has not yet been taken.

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3. By virtue of the present application, the applicants seek that their seniority should be protected as per the seniority list issued in the year 1981 and they should be given promotion by promoting them to the post of Superintendent as has been done in the case of persons junior to them.

4. Once the representation is already pending, a direction to this effect to decide the same will not affect the rights of the respondents.

5. We direct respondent No.2 to consider the representation of the applicants and pass an appropriate speaking order within four months of the receipt of the certified copy of the present order and communicate it to the applicants. OA is disposed of.

Naik
(S.K.Naik)

Member(A)

/dkm/

Ag
(V.S.Agarwal)

Chairman