

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF JANUARY, 2002

Original Application No.1111 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Vishnu narain shukla, s/o late  
Shiv Bhajan Singh, R/o 323 Kamla Nehru  
Nagar, District Gaziabad.

... Applicant

(By Adv: Shri B.N.Singh)

Versus

1. Union of India through the  
Secretary, Ministry of Finance, Govt.  
of India, New Delhi.
2. Chairman, Central Board of Excise  
and Customs, Deptt. of Revenue  
North Block New Delhi.
3. Commissioner of Custom & Central  
Excise, 38, M.G.Marg, Civil Lines,  
Allahabad.
4. Commissioner (I), Central Excise  
Commissionerate, Mangal Pandey  
Nagar, Meerut.

... Respondents

(By Adv: Shri R.C.Joshi)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has  
challenged the circular dated 17.9.1982 of Govt. of India,  
Ministry of Finance by which physical standard/test <sup>has been</sup> ~~is~~  
prescribed for Inspectors in Central Excise Department.  
According to this circular the requirement of height is  
157.5cm. the grievance is that earlier the standard  
prescribed was 155cm height(as per annexure 4) and this  
has been enhanced to 157.5cm in an arbitrary manner.

We have carefully considered the submission of the  
learned counsel for the applicant. However, in our  
opinion the physical standards for a particular service

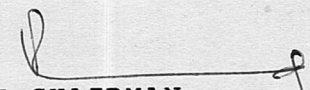


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may be prescribed only by the Executive and the courts are  
illeguiped to have a decision in such matters. The  
learned counsellor has not been able to point out on which  
basis it may be said that the standard of height  
prescribed by the impugned circular is arbitrary or  
discriminatory. We do not find any merit in this OA. The  
OA is accordingly dismissed with no order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 28th Jan: 2002

Uv/