

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00414/2021

Friday, this the 20th day of August, 2021.

CORAM:

**HON'BLE Mrs. HINA P. SHAH, JUDICIAL MEMBER
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Vikas K, 57 years,
S/o. Dharmarajan,
Assistant Enforcement Officer,
Enforcement Directorate (GOI),
Kozhikode – 673 003.
Residing at : Quarters No. 5, GPRA,
Kendriya Bhavan, MS Baburaj Road,
Kallai, Kozhikode – 673 003. - Applicant

[By Advocate : Mr. T.C. Govindaswamy]

Versus

1. Union of India represented by the Secretary to
The Government of India,
Ministry of Finance, Department of Revenue,
Directorate of Enforcement, North Block,
New Delhi – 110 001.
2. The Director,
Ministry of Finance, Directorate of Enforcement,
Head Quarters Office, 6th Floor, Lok Nayak Bhavan,
Khan Market, New Delhi – 110 003.
3. The Joint Director,
Office of the Joint Director,
Directorate of Enforcement, Kochi – 682 011.
4. Deputy Director,
Enforcement Directorate (GOI),
Kendriya Bhavan, M.S. Baburaj Road,
Kallai, Kozhikode – 673 003. - Respondents

[By Advocate : Mr. Anil Ravi, ACGSC)

The application having been heard on 20.08.2021, the Tribunal on the same day delivered the following:

O R D E R**Per: Mrs. Hina P. Shah, Judicial Member**

The applicant filed this O.A seeking the following reliefs:-

"i. declare that the applicant was eligible to be considered for promotion as Assistant Enforcement Officer along with those who respondent to Annexure A-8 in the light of Annexure A-4 to A-7 orders/judgments which have become final and conclusive as between the applicant and the respondents.

ii) direct the respondents to consider the applicant for promotion as Assistant Enforcement Officer in the light of the declaration in Annexures A-4 to A-7 for the vacancies notified in terms of Annexure A-8 and direct further to grant all the consequential benefits, duly antedating the applicant's promotion as Assistant Enforcement Officer on par with those who were promoted as a result of the selection process initiated in terms of A-8, including arrears of pay and allowances arising there from."

2. Mr. Anil Ravi, ACGSC takes notice on behalf of the respondents and submits that he has no objection in directing the respondents to dispose of the representation in accordance with the rules and regulations.

3. Hence, Respondent No. 2 is directed to dispose of Annexure A-12 representation in accordance with the rules and regulations considering the contentions as made in the O.A and pass appropriate orders within 8 weeks from the date of receipt of a copy of this order.

4. The O.A is disposed as above. No order as to costs.

(Dated, 20th August, 2021.)

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(HINA P. SHAH)
JUDICIAL MEMBER

Applicant's Annexures

Annexure A-1	-	A true copy of the Ministry of Finance, Department of Revenue, Directorate of Enforcement, Assistant Enforcement Officer (Group 'B' post) Recruitment Rules, 2013.
Annexure A-2	-	A true copy of letter bearing F.No. K. 11022/26/2013-Ad.ED dated 25.06.2013, issued from the office of the 1 st respondent.
Annexure A-3	-	A true copy of letter bearing No. A-26/2/2011 dated 26.07.2013 issued from the office of the 2 nd respondent.
Annexure A-4	-	A true copy of the said order in O.A No. 993/2013 of Hon'ble CAT Ernakulam Bench, dated 13.06.2016.
Annexure A-5	-	A true copy of the judgment in OP(CAT) No. 299/2016 of the Hon'ble High Court of Kerala dated 08.07.2019.
Annexure A-6	-	A true copy of the order in R.P. No. 486/2020 of the Hon'ble High Court of Kerala dated 02.01.2020.
Annexure A-7	-	A true copy of the order of the Hon'ble Supreme Court of India in S.L.P. © No. 3282/2021 dated 01.03.2021.
Annexure A-8	-	A true copy of the notification bearing No. A-26/1/2016 dated 18.04.2016.
Annexure A-9	-	A true copy of the letter sent by the applicant dated 02.05.2016.
Annexure A-10	-	A true copy of the order bearing F.No. A-26/1/2016 dated 30.05.2016 issued on behalf of the 2 nd respondent.
Annexure A-11	-	A true copy of the order (Admn) No. 192/2016 issued from the office of the 2 nd respondent dated 05.10.2016.
Annexure A-12	-	A true copy of letter bearing F.no. A-26/03/2016 dated 28.04.2017.
Annexure A-13	-	A true copy of the letter bearing F.No. A-26/03/2016 dated 28.05.2018.
Annexure A-14	-	A true copy of the representation submitted by the applicant, addressed to the 2 nd respondent dated 22.03.2021.

Annexure A-15 - A true copy of the covering letter dated 23.03.2021 submitted by the applicant addressed to the 4th respondent.

Annexure A-16 - A true copy of the letter bearing No. A-26/02-KZSZO/2013/171 dated 25.03.2021.

Annexures of Respondents

NIL
