

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH, LUCKNOW.**

Original Application No. 10 of 2020

This the 7th day of January, 2020

Hon'ble Ms. Jasmine Ahmed, Member-J

Hon'ble Mr. Devendra Chaudhry, Member-A

1. Lavkesh Verma, aged about 54 years, S/o Sri Raguraj, R/o M-61 Keshavpuram Kanpur, present posted at Chaudhary Charan Singh International Airport, Customs (Prev.), Commissionerate, Lucknow.
2. Ajay Srivastava, aged about 54 years, S/o late Sri S.P. Srivastava, R/o 117/315-A Block N Raniganj Kakadeo Kanpur, presently posted at CGST Raebareilly Division, Raebareilly.
3. Manoj Kumar Mishra, aged about 47 years, S/o Sri Jitendra Lal Srivastava, R/o 404 Anand Kunj, 117-M/04 Kakadeo Kanpur, presently posted at Central Excise & CGST, Audit Commissionerate, Lucknow.
4. Shailendra Kumar Shukla, aged about 52 years, S/o Sri S.N. Shukla, R/o 127/885 (W-1) Saket Nagar, Kanpur presently posted at Preventive Branch, Customs (Prev.), Commissionerate Lucknow.
5. Umesh Kumar Shukla, aged about 53 years, S/o Sri Bramha Kishore Shukla, R/o 117/N/86 A Raniganj, Kakadeo Kanpur, presently posted at Chaudhary Charan Singh International Airport, Customs (Prev.), Commissionerate, Lucknow.
6. Mahmood Ansari, aged about 59 years, S/o late Sri Nabi Rasool Ansari, R/o 303 B Wazirabad Colony, Gorakhpur, presently posted at CMPU Bahraich, Customs (Prev.) Commissionerate, Lucknow.
7. Bhoj Raj, aged about 52 yewars, S/o late Sri Balak Ram, R/o A-2/780 Gaur Homes, E Block Govind Puram Gaziabad, presently posted at Gorakhpur Division (Prev.) Commissionerate, Lucknow.
8. Sunil Kumar Tewari, aged about 54 years, S/o Sri Brahm Dutt Tewari, R/o C-14 Eldeco Manson, Shivli Road Kalyanpur, Kanpur, presently posted at Range Unnao, Division-1, CGST Commissionerate, Lucknow.

.....APPLICANTS

By Advocate: Sri Praveen Kumar

V E R S U S

1. **Union of India**, through the Secretary, Revenue, Ministry of Finance, Govt. of India, Department of Revenue, New Delhi-110001.
2. The Chairman, Central Board of Direct Taxes & Customs, Ministry of Finance, North Block, New Delhi.
3. The Principal Chief Commissioner (Cadre Controlling Authority), Central Goods & Service Taxes & Central Excise, 7-A Lucknow zone, Ashok Marg, Lucknow.

4. The Commissioner, CGST & Central Excise, 7-A Ashok Marg, Lucknow.
5. The Commissioner, Customs (Prev.) Commissionerate, Hall no.3, 5th & 11 Floor, Kendriya Bhawan, Sector H, Aliganj, Lucknow.
6. The Commissioner, CGST, Central Excise & Service Tax Audit Commissionerate, 7 Havelok Road, Lucknow.

.....RESPONDENTS

By Respondents: Sri Rajesh Katiyar

ORDER (Oral)

By Ms. Jasmine Ahmed, Member-J

Heard the learned counsel for the applicants as well as learned counsel for the respondents and perused the records.

2. Earlier the applicants & Others had approached to this Tribunal by filing O.A. No. 622 of 2019, which was disposed of vide judgment and order dated 12.12.2019 giving liberty to the applicants to file a fresh O.A. for taking appropriate legal course. Hence this O.A.

3. Learned counsel for the applicant states that the applicants are similarly situated persons to that of O.A. Nos. 1982 of 2018 and 2240 of 2018 wherein an order has been passed by Principal Bench on 21.5.2018 in favour of the applicants, therein. The learned counsel for the applicant states, at this stage, that directions may be issued to the respondents/competent authority to consider and decide the representation of the applicants, contained in Annexure no.7 to the O.A. in the light of the orders passed by the Principal Bench in O.A. no. 1982 of 2018 and 2240 of 2018. He also states that the order passed by the Principal Bench has already been complied with.

3. Accordingly, we direct the respondents/competent authority to consider and decide the pending representations of the applicants, contained in Annexure no. 7 in the light of order passed by Principal Bench in O.A. Nos. 1982 of 2018 and 2240 of 2018 and if it is found that the applicants, herein, are similarly situated persons with the applicants of the cited O.As, the similar benefit be also extended to them as per their own merit. The aforesaid exercise shall be carried out within a

period of three months from the date of receipt of certified copy of this order and the order so passed shall be communicated to the applicant.

4. With the above directions, the O.A. stands disposed of. There shall be no order as to costs.

~~Member-A~~

~~Member-J~~

Girish/-