

(A) CA. 310/96.

Office note as to  
action (if any)  
taken on order

Date of  
Order

Order with Signature

25.11.02

Heard Shri A.C.Rath, Advocate for  
the applicant and Shri A.K.Bose, Senior  
Standing Counsel for the Respondents.

Applicant, an U.D.C. of Central  
Excise and Customs under Indore Collecto-  
rate came on xtr transfer to the  
Collectorate at Bhubaneswar (which is an  
establishment separated in the year 1980)  
and as such he lost his seniority. It was  
made clear to the applicant ab initio that  
he would lose his seniority and he also  
gave an undertaking in the same line as  
that of the requirement. The grievances as  
raised in the present Original Application  
xx with regard to loss of his seniority  
and his lower placement in the seniority  
list were the subject matter of considera-  
tion by this Tribunal in two earlier  
occasions in O.A. Nos. 353/88 and 226/91.  
The issues raised in the present O.A. are,  
therefore, hit by the principles of  
resjudicata; as the issues involved in  
the present O.A. were already decided/  
answered by this Tribunal in the afore-  
mentioned O.As (O.A. Nos. 352/88 and 226/91  
decided on 27.02.1992 and 6.10.1993,  
respectively).

In the aforesaid premises, this  
O.A., apart from being devoid of any merit,  
is also not maintainable and hence  
dismissed. No costs.

Send copies of this order to the  
parties.

VICE-CHAIRMAN

MEMBER (JUDICIAL)

Or. no. 17 MA. 12.02.02

Rejoinder to the

Counter not filed

ad 3 to 29.10.92

For order

25/10/92

For hearing

26/8

Bench

Or. dt. 28.8.02

For Hearing

1/20  
A/19

Bench

For Hearing

(Not admitted)

2/11

Bench

on dt. 25.11.

Copies of the  
25.11.02 sent  
to 2-1 to 4 &  
Copies 2 sent on  
hand over to  
counsel for the  
side.

2/11

2/11

2/11