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O.A.No.104/2010

ORDER DATED 11th MARCH, 2010

Coram:

Hon'ble Mr. M. R. Mohanty, Vice-Chairman
Hon'ble Mr. C.R. Mohapatra, Member (A)

Vide order dated 26.06.2009 the Official Respondents antedated the promotion of five Superintendents of Central Excise, Customs & Service Tax w.e.f. 23.09.2002 in compliance of the order dated 17.02.09 of this Tribunal rendered in O.A. Nos.1127, 1157 to 1159 of 2004, by convening Review DPC. The present Applicants (ten in number) are claiming to be senior to the aforesaid five Superintendents to receive antedated promotion w.e.f. 23.09.2002 as a consequence, they have been ignored. They represented to the authorities to antedate their (applicants) promotion. The representations (Annexure-4 series) are stated to be pending before the Respondents.

2. In the aforesaid premises, having heard Mr. R.N. Mishra, Ld. Counsel for the applicants and Mr. S. Mishra, Ld. Addl. Standing Counsel for the Union of India (to whom a copy of this O.A. has already been supplied) and on perusal of the materials placed on record, we dispose of this case, without any waste of time, by remitting the matter to the Official Respondents; who should examine as to whether the applicants are really senior to the officers who received antedated

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promotion vide order dated 26.06.09 and if it is so, then the Respondents to convene the review DPC and grant the same relief (by way of antedating their date of promotion) as has been granted to S/Shri Suresh Ch. Praharaj, Surendra K. Patra, R.N. Mohapatra, Asis K. Panda and Suvendu Mohanty within a period of 90 days of the receipt of the copy of this order under intimation to the Applicants.

3. Send copies of this order (along with copies of this O.A.) to the Respondents by registered post in the address given in the O.A.. Free copies of this order be supplied to the Ld. Counsel appearing for both sides.

4. With the disposal of the O.A., M.A. No.118/10 stands disposed of.


MEMBER(A)


VICE-CHAIRMAN