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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00737 of 2015
Cuttack, this the 30th day of October, 2015

**CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)**

Ashok Ratilal Mahida,
aged about 47 years,
S/o. Ratilal Mahijibhai Mahida,
A permanent resident of 2001 Silver Leaf Apartment,
03, Mamta Society, Ellora Park, Vadodara-310023,
residing in Qtr. No. Typre-V/01 (Old), C.R.Colony,
Rajaswa Vihar, Vani Vihar,PS- Sahidnagar,
Bhubaneswar-751007, Dist- Khurda, Odisha
at present working as Additional Commissioner of
Central Excise, Customs and Service Tax,
Central Revenue Building, Rajaswa Vihar, Bhubaneswar,
Dist. Khurda, PIN- 751007.

(Advocates: M/s. J.M.Patnaik, C. Panigrahi)

...Applicant

VERSUS

Union of India Represented through its

1. Revenue Secretary, Govt. of India,
Ministry of Finance, Department of Revenue,
North Block, New Delhi.
2. Chairperson,
Central Board of Excise & Customs,
Ministry of Finance, Department of Revenue,
North Block, New Delhi- 110001.
3. Director General (CVO),
Customs & Central Excise,
2nd and 3rd Floor, Samrat Hotel,
Kautilya Marg, Chanakyapuri, New Delhi.
4. Under Secretary to Govt. of India,
Ministry of Finance, Department of Revenue,
Central board of Excise & Customs, New Delhi.
5. Chief Commissioner of Central Excise,
Customs and Service Tax,
Central Revenue Building,
Rajaswa Vihar, Bhubaneswar,
Dist. Khurda, PIN-751007.

V.A.U

6. Commissioner & Inquiry Authority,
Central Excise, Ahmadabad-II,
Customs House, Navarangapura,
Ahmadavad, Gujarat.

... Respondents

(Advocate: Mr. S.B.Mohanty)

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O R D E R (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. J.M.Patnaik, Learned Counsel for the Applicant, and Mr. S.B.Mohanty, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant, in this present O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, has prayed for the following reliefs:

“(i) To quash the Memorandum dated 28th January, 2009/23rd February, 2009 (vide F.No.C-14011/53/2007-Ad. V/573) under Rule 14 of the CCS (CC&A) Rules,1965 (Annexure A/2) and declare that further action taken thereafter is illegal and bad in law;

(ii) To quash the letter No. C-140-11/57/2010-Ad.v/6079 dated 12th August, 2015;

(iii) To quash Letter No. DGCEI/BhZU/28022/03/2015/467 dated 07.10.2015.

(iv) And to direct the Respondents to grant him all consequential service and financial benefits retrospectively;

(v) To pass any further order.....”

3. Mr. Patnaik, Ld Counsel for the applicant submitted that the applicant ventilating his grievance has made a representation/appeal before the Appellate Authority, i.e. Respondent No. 2 vide Annexure-A/17 dated 31.08.2015 but till date no response has been communicated to the applicant on his aforesaid appeal/representation. Accordingly, without going into the merit

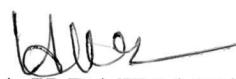
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of the matter, I dispose of this O.A. with direction to the Respondent No.2 to dispose of the appeal/representation, if the same is still pending, and pass a reasoned and speaking order within a period of three months. I make it clear that no coercive action will be taken by the Respondents against the applicant till the end of February, 2016.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Mr. Patnaik, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 by Speed Post for which he undertakes to file the postal requisites by 06.11.2015.

6. Free copy of this order be made over to Mr. Mohanty Ld. ACGSC, during the course of the day.


(A.K.PATNAIK)
MEMBER(Judl.)

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