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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 12.01.1999

O.A. No. 323/98

1. Kamal Kumar Jain son of Shri Tara Chand Jain aged about 38 years resident of C-78, Shastri Nagar, Jodhpur, at present employed on the post of Inspector Custom Inland Container Depot, Basni, Phase II, Jodhpur.
2. G.L. Saini son of Shri Bhagwan Dasji Saini, aged about 42 years, resident of 18/683, Chopasani Housing Board, Jodhpur, at present employed on the post of Intelligence Officer, Directorate of Revenue Intelligence, 447, Pal Link Road, Jodhpur.

... Applicants.

v e r s u s

1. Union of India through Secretary to the Government of India, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. The Chairman, Central Board of Excise and Customs, North Block, New Delhi.
3. The Dy. Commissioner (Personnel and Vigilance), Cadre Control Unit, Central Excise Commissionerate, Statute Circle, Jaipur.
4. Shri V.K. Gupta, Superintendent, IAD, Central Excise Commissionerate, Statute Circle, C-Scheme, Jaipur.
5. Shri Darshan Singh, Superintendent, Customs Division, Jaisalmer.
6. Shri Piyus Kumar, Superintendent, Service Tax Cell, Central Excise Commissionerate, Statute Circle, C-Scheme, Jaipur.
7. Shri H.R. Gupta, Superintendent, Central Excise Range, Beharoad, Distt. Alwar.
8. Shri G.R. Arora, Superintendent, Customs - Division, Sriganganagar.
9. Shri V.K. Soni, Inspector, IAD, Central Excise Commissionerate, Statute Circle, C-Scheme, Jaipur.
10. Shri M.K. Gautam, Inspector, Customs Division, Bikaner.

... Respondents.

Chakshu

Mr. J.K. Kaushik, Counsel for the applicants.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Mr. Gopal Singh, Administrative Member.

ORDER

(Per Hon'ble Mr. Gopal Krishna)

Applicants, Kamal Kumar Jain and G.L. Saini, have filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs :-

- "(i) That the respondents No. 1 to 3 may be directed to assign seniority to the applicants above the respondents No. 4 to 10 on the post of Inspector and the impugned seniority list dated 25.4.97 (Annex. A/1), and allow all consequential benefits including the consideration for further promotions at par with their next juniors and consequently the impugned orders dated 30.6.98, 8.10.98 and 8.10.98, Annex. A/2, A/3, A/4 respectively, may be ordered to be modified accordingly.
- (ii) That any other direction or orders may be passed in favour of the applicants which may be deemed just and proper under the facts and circumstances of this case in the interest of justice.
- (iii) That the costs of this OA may be awarded."

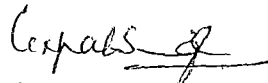
2. We have heard the learned counsel for the applicants. The records of the case have been carefully perused.

3. The learned counsel for the applicants instead of pressing this application on merits wants that the representations at Annexure A/8 dated 7.7.97 made by the Applicant No. 1 and Annexure A/9 dated 7.7.97 made by the applicant No. 2 be decided through a detailed speaking order on merits.

4. In the circumstances, this application is disposed of at the stage of admission with a direction to the respondent No. 2 to take a decision on the representations made by the applicants through a detailed speaking order on merits within a period of three months from the date of receipt of a copy of this order.

C/Krishna

5. Let a copy of the O.A and annexures thereto be sent to the respondents alongwith a copy of this order.


(Gopal Singh)
Adm. Member


(Gopal Krishna)
Vice Chairman

CVR.

Received
J. J. [unclear]
15/1/99

Copy of order OAKMA
& OAKMA, petitions
along with Annexes
sent to R/1 to R/10

by Regd AD
vide no 32 to 41
dt 24/1/99

20/1/99

Part II and III destroyed
in my presence on 26/6/06
under the supervision of
section officer (1) as per
order dated 1.6.05

Section officer (Record)

P.D. 12, 5, 6, 7, 9, 10 attached
in third set
15/1/99