

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 422 of 1994

Tuesday, this the 23rd day of January, 1996

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. B. Ushadevi,
D/o N Bhanu Prakash,
Appraiser, Cochin Custom House,
Cochin.
2. S. Sreemathy,
D/o Sundararaman,
Appraiser, Cochin Custom House,
Cochin.
3. Leo John Ilango,
S/o Leo Selvaraj,
Examiner, Cochin Custom House,
Cochin.
4. V. Shanti,
D/o C.S. Venkiteswaran,
Examiner, Cochin Custom House,
Cochin.

.. Applicants

Vs.

1. The Collector of Customs,
Custom House, Cochin.
2. The Collector of Customs,
Madras.
3. Union of India represented by
Secretary to Ministry of Finance,
North Block, New Delhi.
4. AC Joseph,
Examiner, Custom House, Cochin-9
5. OV Thomas,
Examiner, Custom House, Cochin-9

.. Respondents

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Neither applicants nor their Counsel are present. We
dismiss the application. No costs.

Dated the 23rd January, 1996


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

ak.

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.422/94, O.A.642/94, O.A.732/94, O.A.855/94

O.A.1026/94 and O.A.1665/94

Monday, this the 3rd day of June, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

O.A.422/94

1. B Ushadevi,
Appraiser,
Cochin Custom House, Cochin.
2. S Sreemathy,
Appraiser,
Cochin Custom House, Cochin.
3. Leo John Ilango,
Examiner,
Cochin Custom House, Cochin.
4. V Shanti,
Examiner,
Cochin Custom House, Cochin. - Applicants

By Advocate Mr PV Mohanan

Vs

1. The Collector of Customs,
Custom House, Cochin.
2. The Collector of Customs,
Madras.
3. Union of India represented by
Secretary to Ministry of Finance,
North Block, New Delhi.
4. AC Joseph,
Examiner,
Custom House, Cochin.
5. OV Thomas,
Examiner,
Custom House, Cochin. - Respondents

By Advocate Mr C Kochunni Nair, Senior Panel Counsel
(for R.1 to 3)

By Advocate Mr P Ravindran (for R.4 & 5)

O.A.642/94

1. AC Joseph,
Examiner,
Custom House, Cochin-9.
2. OV Thomas,
Examiner,
Custom House, Cochin-9. - Applicants

By Advocate M/s P Ravindran and Anil Sivaraman

Vs

1. The Collector of Customs,
Custom House, Cochin-9.
2. The Collector of Customs,
Madras.
3. Union of India represented by
its Secretary,
Central Board of Excise & Customs,
New Delhi.
4. B Ushadevi,
Appraiser,
Custom House, Cochin.
5. S Sreemathi,
Appraiser,
Custom House, Cochin.
6. KV Ganesh Prasad,
Appraiser,
Custom House, Madras-600 001.
7. MI Mary,
Examiner,
Custom House, Cochin.
8. Sudipta Gosh,
Intelligence Officer,
Director of Revenue Intelligence,
Delhi Zonal Unit, 5th Floor,
B-3/B-4, Phase-II,
Pariyavran Bhavan,
CGO Complex, Lodhi Road,
New Delhi-3. - Respondents

By Advocate Mr TPM Ibrahim Khan, Senior Central Government
Standing Counsel (for R.1 to 3)

O.A.732/94

1. K Vimaladevi,
Examiner,
Custom House, Cochin-9.
2. VJ Dulari,
Examiner,
Custom House, Cochin-9.
3. J Gouri,
Examiner,
Custom House, Cochin-9.
4. KP Kamalam,
Examiner,
Custom House, Cochin-9. - Applicants

By Advocate M/s P Ravindran & Ranjith Thampan

Vs

1. The Collector of Customs,
Custom House, Cochin-9.
2. The Collector of Customs,
Custom House, Madras.
3. Union of India represented by
its Secretary,
Central Board of Excise & Customs,
New Delhi.
4. KV Ganesh Prasad,
Appraiser,
Custom House, Madras-600 001.
5. Sudipta Gosh,
Intelligence Officer,
Director of Revenue Intelligence,
Delhi Zonal Unit, 5th Floor,
B-3/B-4, Phase-II,
Pariyavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi.
6. Debjit Banerji,
Intelligence Officer,
Director of Revenue Intelligence,
Delhi Zonal Unit, 5th Floor,
B-3/B-4, Phase-II,
Pariyavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi-3.
7. Leo John Elango,
Examiner,
Custom House, Cochin-9. - Respondents

8. Brijesh Kumar,
Examiner,
Madras Custom House, Madras.
 9. Mahendra Singh Thakur,
Examiner,
Bombay Custom House, Bombay.
 10. PK Leela,
Examiner,
Custom House, Cochin-9.
 11. V Santhi,
Examiner,
Custom House, Cochin-9.
 12. Harrison Antony,
Examiner,
Custom House, Cochin-9.
 13. Jathin KA,
Examiner,
Custom House, Cochin-9.
 14. MK Vijayakumar,
Examiner,
Custom House, Cochin-9.
 15. CT Bindu,
Examiner,
Custom House, Cochin-9.
 16. Ashok Rani S,
Examiner,
Custom House, Cochin-9.
- Respondents

By Advocate Mr TPM Ibrahim Khan, Senior Central Government
Standing Counsel(for R.1 to 3)

By Advocate Mr PV Mohanan(for R.4)

O.A.855/94

VK Umesh,
Appraiser,
Cochin Custom House, Cochin.

- Applicant

By Advocate Mr PV Mohanan

Vs

1. The Collector of Customs,
Custom House, Madras.
 2. The Collector of Customs,
Custom House, Cochin.
 3. The Union of India represented by
Secretary, Ministry of Finance,
North Block, New Delhi.
- Respondents

4. P Sahadevan,
Examiner,
Custom House, Cochin-9.
5. PL Rajamma,
Examiner,
Custom House, Cochin-9.
6. EM Rajalakshmi,
Examiner,
Custom House, Cochin-9. - Respondents

By Advocate Mr TPM Ibrahim Khan, Senior Central Government
Standing Counsel(for R.1 to 3)

By Advocate Mr P Ravindran(for R.4 to 6)

O.A.1026/94

KN Sarojini,
Examiner,
Custom House, Cochin-9. - Applicant

By Advocate M/s P Ravindran & Anil Sivaraman

Vs

1. The Collector of Customs,
Custom House, Cochin-9.
2. The Collector of Customs,
Custom House, Madras.
3. KV Ganesh Prasad,
Appraiser, Custom House,
Madras-600 001.
4. Sudipta Gosh,
Intelligence Officer,
Director of Revenue Intelligence,
Delhi Zonal Unit, 5th Floor,
B-3/B-4, Phase-II,
Pariyavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi.
5. Debjit Banerji,
Intelligence Officer,
Director of Revenue Intelligence,
Delhi Zonal Unit, 5th Floor,
B-3/B-4, Phase-II,
Pariyavaran Bhavan, CGO Complex,,
Lodhi Road, New Delhi-3.
6. Leo John Elango,
Examiner,
Custom House, Cochin-9.
7. Brijesh Kumar,
Examiner,
Madras Custom House, Madras. - Respondents

8. Mahendra Singh Thakur,
Examiner,
Bombay Custom House, Bombay.
9. PK Leela,
Examiner,
Custom House, Cochin-9.
10. V Santhi,
Examiner,
Custom House, Cochin-9.
11. Harrison Antony,
Examiner,
Custom House, Cochin-9.
12. Jathin KA,
Examiner,
Custom House, Cochin-9.
13. MK Vijayakumar,
Examiner,
Custom House, Cochin-9.
14. CT Bindu,
Examiner,
Custom House, Cochin-9.
15. Ashok Rani S,
Examiner,
Custom House, Cochin-9. - Respondents

By Advocate Mr C Kochunni Nair, Senior Panel Counsel(for R.1&2)

O.A.1665/94

Sudipta Ghosh,
Examiner/Intelligence Officer,
Directorate of Revenue Intelligence,
(Delhi Zonal Unit), New Delhi. - Applicant

By Advocate Mr PV Mohanan

Vs

1. The Collector of Customs,
Custom House, Cochin.
2. The Collector of Customs,
Madras.
3. Union of India represented by
Secretary to Ministry of Finance,
North Block, New Delhi.
4. PL Rajamma,
Appraiser,
Cochin Custom House, Cochin. - Respondents

5. EM Rajalakshmi,
Appraiser,
Cochin Customs House, Cochin.
6. MI Mary,
Appraiser,
Cochin Customs House,
Cochin.
7. AC Joseph,
Appraiser,
Cochin Customs House, Cochin. - Respondents

By Advocate Mr S Radhakrishnan, Additional Central Government
Standing Counsel(for R.1 to 3)

By Advocate Mr KRB Kaimal(for R.7)

By Advocate M/s V Ramachandran Associates(for R.5)

By Advocate Mr Vellayani Sundara Raju(for R.4 & 6)

The applications are having been heard on 3.6.96 the
Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

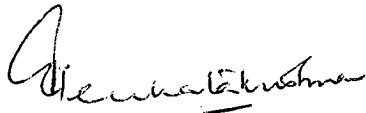
Applicants in O.A.422/94, O.A.855/94 and O.A.1665/94 were directly recruited as 'Examiners', while applicants in O.A.642/94, O.A.732/94 and O.A.1026/94 are departmental hands who were promoted as 'Examiners'. Their inter se seniority is the bone of contention. Inter se seniority will be material largely for purposes of the next promotion. Next promotion is likely to elude the promotees.

2. The question of inter se seniority therefore is not of imminent concern for purposes of promotion, though it may be of concern for other matters. Those of the applicants who are aggrieved by fixation of seniority may raise their contentions with supporting reasons before the Central Board of Excise and Customs. In view of the fact that applicants who were examiners

at the time of filing the applications were promoted as 'Appraisers', we consider it unnecessary to go into the merits of the impugned orders like A5 and A7 in O.A.422/94.

3. With the direction in the preceding paragraph, the applications are disposed of. Parties will suffer their costs.

Dated, the 3rd June, 1996.



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

trs/4696

List of Annexure

OA-422/94

Annexure A5: True copy of the Proceedings Establishment Circular No.7/94 dated 7.2.1994 issued by Collector of Customs, Cochin (first respondent).

Annexure A7: True copy of office Order No.26/94 dated 7.3.1994 issued by Collector of Customs, Cochin (first respondent)