

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.No.453/05**

Thursday this the 16<sup>th</sup> day of June, 2005

**C O R A M :**

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN  
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER**

V.S.Karunakaran,  
(Retired Assistant Collector,Customs),  
Thushara, Poonithura P.O., Cochin – 682 317. ....Applicant

(By Advocate Mrs.I.Sheela Devi)

**Versus**

1. Union of India represented by its Secretary,  
Ministry of Finance, Department of Revenue,  
Government of India, New Delhi.
2. Commissioner of Customs,  
Customs House, Cochin – 9. ....Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 16<sup>th</sup> June 2005 the Tribunal  
on the same day delivered the following :

**ORDER**

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN**

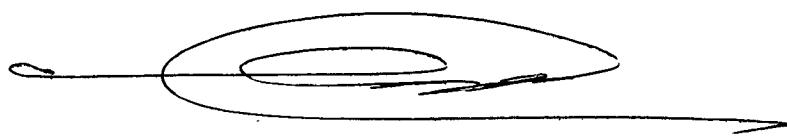
The applicant retired as Assistant Collector of Customs on 30.4.1990. He had not been given promotion as Superintendent of Customs to which according to him he was eligible from the year 1982. The Ministry of Finance, Department of Revenue by G.O took a decision that the applicant Assistant Collector (Rtd.) shall be deemed to have been promoted to the grade of Assistant Collector/Sr.Superintendent of Central Excise taking into account of his effective date of promotion from the date of convening the D.P.C. The applicant was conferred the benefits under this order. Later in pursuance of the Hon'ble Supreme Court's judgment

.2.

vide notification dated 21.11.2000 it was ordered that the Group B officers in the cadres of Superintendent of Central Excise and Customs shall be deemed to have been promoted to the junior time scale on regular basis for the panel year for which they have been recommended for regular promotion. The panels were included in this notification. The applicant's name finds place at Serial No.9 under category Superintendent of Customs (Preventive) for the panel year 1982. The grievance of the applicant is that even though orders were issued in the year 2000 the respondents have not implemented the same by extending to him any of the benefits derived therefrom. The applicant has been representing to the 1<sup>st</sup> and 2<sup>nd</sup> respondents. The latest representations are dated 9.7.2004 and 15.11.2004 (Annexure A-6 and Annexure A-7). The applicant is a retired employee aged 72 years and it is stated that the benefits have been extended to all the serving persons. Since he is a retired employee he could not pursue the matter.

2. In the interest of justice, we direct the 2<sup>nd</sup> respondent or any other competent authority to consider and dispose of the representation of the applicant and communicate a decision to him within a period of two months from the date of receipt of a copy of this order. The O.A is disposed of accordingly.

(Dated the 16<sup>th</sup> day of June 2005)



K.V.SACHIDANANDAN  
JUDICIAL MEMBER



SATHI NAIR  
VICE CHAIRMAN

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