

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 507/92  
~~XXXXXX~~

199

DATE OF DECISION 6-4-1992

K Devadas

Applicant (s)

Mr Tomy Sebastian

Advocate for the Applicant (s)

Versus  
Union of India rep. by  
the Secretary to Govt. of India  
Ministry of Finance,  
Department of Revenue, New Delhi  
and others.

Respondent (s)

Mr NN Sugunapalan, SCGSC

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. NV Krishnan, Administrative Member  
and

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement? ✓
4. To be circulated to all Benches of the Tribunal? ✓

JUDGEMENT

Mr NV Krishnan, A.M

The applicant has been promoted to the post of Senior Superintendent of Central Excise by the Annexure-A1 order dated 6.2.1992. His name appears at Sl.No.39 of the promotion list. He submits that the promotion to the post of Assistant Collector of Customs as also to the post of Senior Superintendent of Central Excise are made from the feeder category of Superintendent of Central Excise. Though the pay scale of both the promotion posts are the same, nemely, 2200- 4000, as a matter of fact, the post of Assistant Collector is considered to be senior. It is also stated by the applicant that he is at present working as Senior Superintendent of Central Excise, <sup>re but an a</sup> under ~~the~~ Assistant Collector of

Central Excise.

*Q passing*

2 The applicant submits that in the order of promotion at Annexure A1, the respondents have not taken into account the revised seniority as Superintendent of Central Excise granted to him by the Annexure A2 order dated 18.11.91. He submits that if this order had<sup>a</sup> been taken into account, he would have been senior enough to be posted as Assistant Collector of Central Excise.

3 Therefore, he submitted the Annexure A3 representation dated 26.2.1992 to the Respondent-2<sup>Q which is pending</sup>. He is due to retire on 30.11.1992.

4 When the case came up for admission, the learned counsel for the applicant submitted that he would be satisfied if a direction is issued to the Respondent-2 to dispose of the Annexure A3 representation within a specified time. It is not opposed by the learned counsel for the respondent.

5 We are of the view that the interest of justice<sup>Q 1 to 3</sup> would be met if the Respondents ~~1 & 3~~ are directed to dispose of the Annexure A3 representation of the applicant within a period of two months from the date of receipt of this judgment. We order accordingly. The application is disposed of as above.

6 There will be no order as to costs.

*N Dharmadan*  
(N Dharmadan)  
Judicial Member

*6/4/92*

*NV Krishnan*  
(NV Krishnan)  
Administrative Member

6-4-1992