

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.572/2008

Dated the 26<sup>th</sup> day of September, 2008.

CORAM :

HON'BLE Dr K.B.S.RAJAN, JUDICIAL MEMBER

HON'BLE Ms. K.NOORJEHAN, ADMINISTRATIVE MEMBER

T.Yesudasan,  
Motor Driver, Central Excise Headquarters,  
Trivandrum. Residing at Kavuvila Veedu  
TC 4/2136, Marappalam, Pattom,  
Trivandrum. ... Applicant

By Advocate Mr.T.A.Rajan

V/s.

- 1 Union of India represented by the Secretary,  
Government of India,  
Ministry of Finance, New Delhi.
- 2 The Commissioner of Central Excise,  
Customs and Service Tax,  
Central Revenue Building, I.S.Press Road,  
Kochi-18.
- 3 The Joint Commissioner (CCO),  
O/o.Commissioner of Central Excise,  
Customs & Service Tax,  
Central Revenue Building,  
I.S.Press Road, Kochi-18. ... Respondents

By Advocate Mr.Varghese P Thomas

This application having been heard on 26th September, 2008, the Tribunal on the same day delivered the following

(ORDER)

Hon'ble Dr.K B S Rajan, Judicial Member

The applicant has challenged the Annexure A-2 order dated 18.9.2008 whereby he stands transferred from Trivandrum Central Excise



to Customs Preventive Commissionerate. According to the applicant he is in the present place of posting from 10.7.2006 and before the expiry of the normal tenure and during academic session, he has been transferred, which is illegal.

The applicant has given other grounds also vide para-5 of this OA. No representation seems to have been made against the transfer order. As such, we are of the considered view, interest of justice would be met if the respondents are directed to consider the entire OA as a representation of the applicant and they consider the same judiciously within a reasonable period. The 3<sup>rd</sup> respondent may, if need be give an interview to the applicant. Till such time a decision is taken, the order dated 18.9.2008 vide Annexure A-2 may not be given effect to with respect to the applicant. The OA is disposed of.

  
K.NOORJEHAN  
ADMINISTRATIVE MEMBER

  
K.B.S.RAJAN  
JUDICIAL MEMBER

abp