

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.143/94.

Thursday, this the 20th day of January, 1994

C O R A M

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

....

S Sivadasan,
Superintendent of Central Excise,
Central Excise Collectorate,
Cochin-31.

....Applicant

By Advocate Shri K Prabhakaran.

Vs.

1. Collector of Central Excise and Customs,
Central Excise Collectorate,
Central Revenue Buildings, Cochin-18.

2. R Ajithkumar,
Superintendent of Central Excise,
Internal Audit Section, Headquarters,
Office of the Collector of Central Excise,
Cochin--18.

3. K Sreedharan,
Superintendent of Central Excise (T),
Central Excise Divisional Office,
Kollam.

4. A Radhakrishna Marar,
Superintendent of Central Excise,
(Vigilance Section), Headquarters,
Office of the Collector of Central Excise,
Cochin--18.

5. KE Jose,
Superintendent of Central Excise (T),
Central Excise Divisional Office,
Thrissur.

....Respondents

By Shri TPM Ibrahim Khan, Addl Central Govt Standing Counsel.

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant seeks a direction to post him as Superintendent, Air Customs Pool, Trivandrum or Calicut. It is said that officials are deputed to Air Customs. Applicant submits that this "opportunity" was extended to him also. He was posted at Delhi. Due to unfriendly climate, he sought repatriation without running the full term at the Air Customs at Delhi. He wants to "serve" at Karippur for the remainder term.

contd.

2. We do not find any legal right to be enforced, nor do we think that departmental circulars or orders should be upgraded to legal rights. The principles enunciated in Union of India & others vs. SL Abbas (AIR 1993 (SC) 2444) support our view. This is not a fit case for interference.

3. We dismiss the application. This will not preclude applicant from moving departmental authorities for relief, or those authorities from considering any such request.

4. No costs.

Dated the 20th January, 1994.

P V Venkatakrishnan

PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

Hankaranai

CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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