

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 185 OF 2009

Monday, this the 23rd day of March, 2009.

CORAM:

**HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

P.P.Panicker
Superintendent of Central Excise
Alleppey II Range
Alleppey

... Applicant

(By Advocate Mr.CSG Nair)

versus

1. Union of India represented by the Secretary
Department of Revenue
North Block
New Delhi – 110 001
 2. The Chief Commissioner of Central Excise & Customs
Central Revenue Buildings
I.S Press Road, Kochi – 18
 3. The Commissioner of Central Excise
Central Revenue Buildings
I.S Press Road, Kochi – 18
- ... Respondents

(By Advocate Mr. TPM Ibrahim Khan, SCGSC)

The application having been heard on 23.03.2009, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is aggrieved by the Annexure A-5 order dated 20.03.2009 cancelling the Annexure A-2 order dated 04.02.2009 by which he was transferred from Service Tax Range, Tripunithura to Alleppey II Range and posted one Shri V.T.Joseph from Appeal Unit in his place.



2. According to the applicant he has already joined the Alleppey II Range and working there with effect from 06.02.2009. He has further stated that the impugned order was served on him on the last working day of the week, i.e Friday, the 20th March, 2009 and the Respondent would permit new incumbent to join at Alleppey II Range by replacing him and there was no time left for him to make a representation to the Commissioner who issued the Annexure A-2 order in his favour.

3. We, therefore, dispose of this OA at the admission stage itself giving liberty to the applicant to make a representation to the Commissioner, Central Excise and Customs, Cochin within ten days' time. Applicant shall also furnish a copy of the OA and the commissioner shall consider the same as a part of the representation. On the receipt of the said representation, the respondents shall dispose of the same by a reasoned and speaking order within a period of three weeks. Till such time, the impugned Annexure A-5 order dated 25.03.2009 shall not be given effect to.

4. There shall be no order as to costs.

Dated, the 23rd March, 2009


K.NOORJEHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

VS