

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. No. 20/97

Monday, this the 16th day of August, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR G RAMAKRISHNAN, ADMINISTRATIVE MEMBER

T.P. Gokulapalan,  
S/o. K. Thammakkaran (late),  
Sea man, Customs House,  
Wellington Island, Cochin,  
residing at Customs Quarters No.144,  
Wellington Island, Cochin - 3.

...Applicant

By Advocate Mr. M.R. Rajendran Nair

Vs.

1. The Assistant Commissioner of Customs(Establishment),  
Customs House, Cochin.
2. Commissioner of Customs,  
Customs House, Cochin.
3. M.S. Leons, Seaman,  
Customs House, Cochin.
4. K. Sasidharan, Seaman,  
Customs House, Cochin.
5. P.K. Chandran, Seaman,  
Customs House, Cochin.
6. P.G. Xavier, Seaman,  
Customs House, Cochin.

...Respondents

By Advocate Mr. Govindh K. Bharathan, SCGSC for R-1 & 2

The application having been heard on 16.8.99, the  
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A-1 to the extent it  
relates to his seniority and of respondents 3-6, to declare  
that he is senior to respondents 3-6 in the category of  
Seaman, to direct respondents 1&2 to assign seniority to  
him in A-1 Seniority List accordingly and to consider him

for promotion to the post of Sukhani in his due turn.

2. When the O.A. was taken up, the learned counsel appearing for the applicant submitted that subsequent to the filing of this O.A., as per R1(A) dated 27.2.97, the applicant has been promoted as Sukhani and it is suffice at this juncture to permit the applicant to submit a representation to the second respondent for redressal of his grievance with regard to his seniority.

3. Since the question of seniority is, in the first instance, to be decided by the administration, we think that it is only proper to permit the applicant to submit a representation to the second respondent for redressal of his grievance with regard to his seniority.

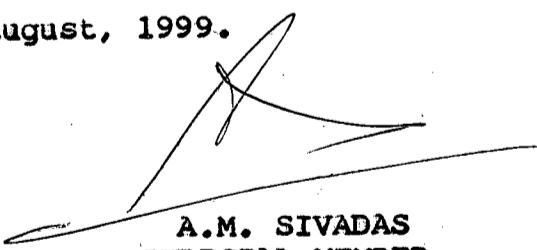
4. Accordingly, the applicant is permitted to submit a representation through proper channel to the second respondent within one month from today. If such a representation is received, the second respondent shall consider the same and pass a speaking order within three months from the date of receipt of the representation.

5. O.A. is disposed of as above. No costs.

Dated this the 16th day August, 1999.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.M. SIVADAS  
JUDICIAL MEMBER

nv  
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LIST OF ANNEXURES REFERRED TO IN THIS ORDER

1. Annexure A-1: True copy of the circular vide No.14/96 issued by the 1st respondent and circulated as per memo S.45/23/96-Estt. dated 25.3.96 issued by the Office Superintendent, Establishment.
2. Annexure R-1(A): True copy of the office order No.42/97, dated 27.2.97 issued by the Additional Commissioner of Customs, Custom House, Kochi - 9.