

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.201/2001

Thursday this the 22nd day of February, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.O.Chacko,
Inspector of Central Excise (Retd)
Kunnel Bhavan,
Near Koprathu Temple,
Collectorate PO,
Kottayam.2.

...Applicnat

(By Advocate Mr. C.S.G. Nair)

v.

1. Commissioner of Central Excise &
Customs, Cochin I Commissionerate,
Central Revenue Building,
IS Press Road,
Cochin.682018.

2. The Chairman,
Central Board of Excise & Customs,
North Block,
New Delhi.-1.

3. Union of India, represented by
the Secretary, Department of Revenue,
Ministry of Finance,
North Block,
New Delhi-110 001.

...Respondents

(By Advocate Mrs.Rajeswari A)

The application having been heard on 22.2.2001, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who retired from service in
November, 1992 after working as Inspector of Central/^{Excise} has
filed this application. After his retirement in
implementation of the judgment of the Patna Bench of the
Central Administrative Tribunal in OA 601/93 filed by one
Damoder Singh regarding grant of seniority to
inter-commissionerate transferees prior to 20.5.80 which
was upheld by the Apex Court the Ministry of Finance,
Department of Revenue issued order dated 20.10.1998

ccntd.....

directing revision of seniority to officials who had been transferred from one Commissionerate to another prior to 20.5.80. Pursuant to the above Annexure.A2 seniority list was issued and the applicant's seniority position has gone higher. However, consequential benefits had not been given to the applicant. The applicant has therefore, made a representation on 11.10.2000 to the Ist respondent but has not been able to get any response. Under these circumstances the applicant has filed this application for the following reliefs:

(i) To direct the Ist and 2nd respondents to implement Annexure.A1 order by publishing seniority lists after conducting review DPCs and to grant consequential benefits including monetary benefits within a stipulated period.

(ii) Grant such other relief or reliefs that may be urged at the time of hearing or that this Hon'ble Tribunal may deem fit to be just and proper.

2. When the application came up for hearing Smt.Rajeswari A takes notice for the respondents. Counsel on either side agree that the application may be disposed of directing the Ist respondent to consider Annexure.A3 representation and to give the applicant an appropriate reply as also to grant the applicant the benefit, if found entitled on such consideration.

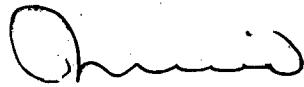
3. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of directing the Ist respondent to consider Annexure.A3 representation of the applicant in the light of Annexure.A1 and A2 and the rules and instructions on the subject and to give the applicant an appropriate

contd.....

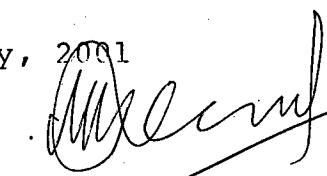
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reply and also to make available to him consequential benefits, if any, available as a result of such consideration within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated this the 22nd day of February, 2001



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

S.

List of annexures referred to:

Annexure.A1:True copy of the order F.No.A/23024/4/94-Ad III(A) dated 20.10.98.

Annexure.A2:A true extract opf the seniority list of Inspectors As on 20.5.80 issued in C.No.II/ 34/15/99-Estt.I dated 4.7.2000.

Annexure.A3:A true copy of the representation dated 11.10.2000.

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