

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 270 OF 2011

Tuesday, this the 25th day of October, 2011

CORAM:

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

K Muralidharan, Stenographer Gr.II,
Customs & Central Excise,
Air Cargo Complex, Thiruvananthapuram.

... Applicant

(By Advocate Mr. V.Rajendran)

versus

1. Union Of India represented by the
Revenue Secretary, Department of Revenue,
Ministry of Finance, North Block
New Delhi-110 001.
2. Commissioner of Central Excise & Customs,
CR Buildings, I.S. Press Road, Ernakulam.
3. Chief Commissioner of Central Excise & Customs,
Kerala Zone, CR Buildings,
I.S. Press Road, Ernakulam.
4. Departmental Promotion Committee
for the post of Inspector of Central Excise,
represented by its Convenor, C.R.Buildings,
I.S. Press Road, Ernakulam.

... Respondents

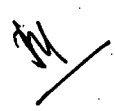
(By Advocate Mr.M.K.Aboobacker, ACGSC)

The application having been heard on 25.10.2011, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

Annexure A-2 order was passed by this Tribunal in OA 141/09
by which the Tribunal directed the respondents to consider the case of the
applicant for promotion to the post of Tax Assistant from the date of
passing of the Departmental Computer Proficiency Examination and pass



appropriate orders in that behalf. Though an Review Application was filed subsequently, the same was dismissed. A writ petition was filed before the Hon'ble High Court of Kerala against the order passed in R.A. The writ petition was also dismissed by judgment dated 24.08.2011, a copy of which is made available for our perusal by the counsel for applicant. There is a further direction to implement Exhibit P-5 order within 30 days from the date of receipt of the order. Exhibit P-5 is the order passed in OA, i.e Annexure A-2. If orders are passed as directed by the Hon'ble High Court, the applicant would have become eligible for appearing for the promotion test of Inspector. By virtue of an interim order, he had already appeared for the test.

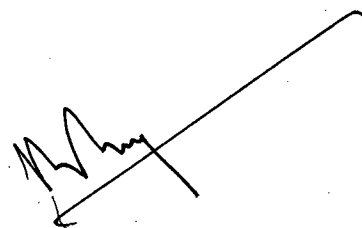
2. In the circumstances, we direct the respondents to open the seal cover containing the examination results and announce the same subject to the orders being passed in pursuance to Annexure A-2 and communicate the same to the applicant.

3. OA is disposed of as above. No costs.

Dated, the 25th October, 2011.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R. RAMAN
JUDICIAL MEMBER

VS