

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.32/09

Tuesday this the 21<sup>st</sup> day of April 2009

**C O R A M :**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

K.Jayakumar,  
Appraiser,  
Custom House, Kochi.

...Applicant

(By Advocate Mr.S.M.Prasanth)

**Versus**

1. Union of India represented  
by Secretary to Government,  
Department of Revenue, New Delhi.

2. The Chief Commissioner of Customs,  
Chennai Zone, Custom House, 60,  
Rajaji Salai, Chennai – 600 001.

3. Commissioner of Customs,  
Customs House, Wellington Island,  
Cochin – 9.

...Respondents

(By Advocate Mr.M.M.Saidu Muhammed,ACGSC)

This application having been heard on 21<sup>st</sup> April 2009 the Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

The applicant is presently working as Appraiser in the Custom House, Kochi. He has filed this O.A against the Annexure A-5 order of the 2<sup>nd</sup> respondent dated 29.9.2008 rejecting his request to cancel the order No.187/06 dated 5.6.2006 transferring him to Mangalore.



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2. In this matter the applicant had earlier filed O.A.511/06 and R.A.31/06 before this Tribunal and W.P.(C) 30178/06 before the Hon'ble High Court of Kerala. The Hon'ble High Court vide judgment dated 6.3.2008 had directed the 2<sup>nd</sup> respondent to consider the request of the applicant to continue him at Cochin office on filing a representation to that effect. Pursuant to the aforesaid direction, the applicant filed Annexure A-4 representation dated 31.3.2008 to the 2<sup>nd</sup> respondent but the 2<sup>nd</sup> respondent rejected the same vide the impugned Annexure A-5 order dated 29.9.2008. Hence he has filed this O.A before this Tribunal.

3. When the matter came up for hearing today, counsel for the respondents has produced Order No.105/09 dated 2.4.2009, according to which, the applicant's transfer to Mangalore Custom House from Cochin Custom House issued vide Order No.187/2006 dated 5.6.2006 stood cancelled. In view of the above position, this O.A has become infructuous and accordingly the same is dismissed. There shall be no order as to costs.

(Dated this the 21<sup>st</sup> day of April 2009)

  
**GEORGE PARACKEN**  
**JUDICIAL MEMBER**

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