

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 332 of 1995

Tuesday, this the 6th day of August, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. G.M. Ahamedul Kabir,
S/o late Hajee I. Gulam Muhammed Sahib
Assistant Collector of Central Excise (Retired),
residing at Nice Cottage, 10/707,
Mettuppalayam street, Palakkad. Applicant

By Advocate Mr. P. Gopinath for Mr. K. Ramakumar

Versus

1. Union of India represented by
Joint Secretary to Government of India,
Ministry of Finance, New Delhi.

2. Principal Collector, Central Excise
121-Uthanur Gandhi Road (N.H. Road),
Madras - 600 034

3. The Collector of Central Excise,
6/7, A.T.D Street, Race Cross Road,
Coimbatore - 641 018

4. The Collector of Central Excise,
I.S. Press Road, Cochin. Respondents

By Advocate Mr. S. Radhakrishnan, ACGSC

The application having been heard on 6th August 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant is aggrieved by the change of the date of his promotion as Superintendent of Central Excise, brought about by Annexure A-3 order. Applicant was promoted as Superintendent of Central Excise on 25.02.1981, the date was changed to 01.12.1980 and thereafter to 15.06.1981 by Annexure A-3 order. Annexure A-3 order was occasioned by two orders of this Tribunal - one in OA 1673/92 and another in OA 1105/92.

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2. It is true that the date of promotion of applicant was postponed by about six months. It is equally true that it was done without notice to him. But, applicant who retired 10 years later has neither averred nor established, how the change affects him in the matter of pension or remuneration. On an academic consideration relating to infraction of natural justice, we see no reason why we should exercise discretion in favour of applicant at this point of time, when he has not shown or pleaded any concrete loss to him.

3. In the circumstances, we decline jurisdiction. No costs.

Tuesday, this the 6th day of August, 1996


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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List of Annexure

1. Annexure A3: True copy of the order Dated 17-8-1994 No.134/94
C.No.II/34/8/90-Estt.I issued by the 4th respondent.