

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.370/2001

Tuesday this the 24th day of April, 2001

CORAM

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

P.V.Sujatha,
Inspector of Central Excise,
Central Excise Range Office,
Alathur,
Palakkad District.

...Applicant

(By Advocate Mr CSG Nair)

v.

1. Additional Commissioner of Central Excise,
Office of the Commissioner of Central Excise
and Customs, Central Revenue Building,
I.S.Press Road, Cochin.18.

2. Commissioner of Central Excise & Customs,
Cochin I Commissionerate,
Central Revenue Buildings,
I.S.Press Road, Cochin.18.

3. Commissioner of Central Excise & Customs,
Central Revenue Building,
Mananchira,
Kozhikode.

4. Union of India, represented by
the Secretary, Department of Revenue,
Ministry of Finance,
North Block, New Delhi.1.Respondents

(By Advocate Mr. K.R.Rajkumar)

The application having been heard on 24.4.2001, the Tribunal on the same day delivered the following:

O R D E R

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

Applicant, an Inspector of Central Excise presently posted at Central Excise Office, Alathur, Palakkad district has filed this application seeking a direction to the respondents to implement the order of the Government of India, Ministry of Finance, Department of Revenue dated 20th October, 1998 (A.1) and to promote the applicant with effect from the date on which her junior was promoted as Inspector of Central Excise and to grant her all consequential benefits within a stipulated

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period. The applicant has also prayed that the respondents 1&2 may be directed to dispose of Annexure.A5 representation taking into consideration the orders Annexure.A4 within a stipulated period..

2. In the Annexure.A5 representation dated 14.02.01 the applicant had invited attention to the Judgment dated 12.8.99 in OA 1501/96 and requested that consequent promotion to the cadre of Inspector of Central Excise might be issued without any further delay as also to revise the seniority list in the cadre of Inspector. The applicant came to file this application as further action pursuant to the representation is not taken.

3. When the application came up for admission Shri K.R.Rajkumar took notice for the respondents. Counsel on either side submit that the application may be disposed of directing the second respondent to consider the Annexure.A5 representation submitted by the applicant in the light of Annexure.A1 as also the judgment in OA 1501/96 and to dispose of it by a speaking order and also to make available to the applicant the consequential benefits if any on such consideration within a reasonable time.

4. In the light of the above submission of the learned counsel on either side, we dispose of this application directing the second respondent to consider the representation submitted by the applicant on 14.2.01 (A5) seeking implementation of the Ministry's OM dated 20.10.98 (A1) in the light of the judgment of the Tribunal in OA 1501/96 and to revise the seniority of the applicant as Inspector of Central Excise and to communicate a speaking order to the applicant within a

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period of three months from the date of receipt of a copy of this order. If on consideration the applicant is entitled to the benefits sought, the monetary benefits flowing therefrom shall also be made available to the applicant within the said period. No order as to costs.

Dated the 24th day of April, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

List of annexures referred to:

Annexure.A1: A true copy of the Order F.No.A/23024/4/94Ad.III(A) dt.20.10.1998 issued by the 4th respondent.

Annexure.A4: A true copy of the order in OA.No.1501/96 dated 12.8.1999.

Annexure.A5: A true copy of the representation dt.14.2.2001.

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