

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 386 of 1994

Monday, this the 2nd day of January, 1995

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR SP BISWAS, ADMINISTRATIVE MEMBER

1. Alfred D'Souza,
Preventive Officer(SG),
Custom House,
Cochin.

.. Applicant

By Advocate Mr. V Rajendran

Vs.

1. Collector of Customs,
Custom House,
Cochin.
2. Union of India represented by
the Secretary,
Ministry of Finance,
Department of Revenue,
New Delhi.

.. Respondents

By Advocate Mr. S Radhakrishnan, Additional Central Government
Standing Counsel

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

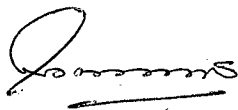
Applicant seeks promotion as Superintendent of Customs with effect from 8-10-1987, the date on which his immediate junior was promoted. Applicant went under the cloud of disciplinary proceedings and came out largely unscathed, but censured. Learned Counsel for applicant would submit 'censure' should not stand in the way of promotion, and that promotion having been granted, should have been dated back to 8-10-1987.

2. At least in the first instance respondents should consider these matters. Applicant may state his case in


the form of a representation before first respondent Union of India, and first respondent shall consider the matter and pass a speaking order within four months of the date of receipt of the representation. We make it clear that we have not expressed any opinion on the merits of the claim advanced by applicant.

3. The application is disposed of as aforesaid. No costs.

Dated the 2nd January, 1995



SP BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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