

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.406/2003.

Monday this the 16th day of June 2003.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

V. Bhaskaran,
Superintendent of Central Excise,
Air Cargo Complex, Trivandrum. Applicant

(By Advocate Shri. C.S.G.Nair)

Vs.

1. Additional Commissioner of Central Excise & Customs,
Cochin Commissionerate,
Central Revenue Buildings,
I.S.Press Road, Cochin-682 018.
2. Commissioner of Central Excise & Customs,
Cochin Commissionerate,
Central Revenue Buildings,
I.S.Press Road, Cochin - 682 018.
3. The Chief Commissionr of Central Excise &
Customs, Central Revenue Buildings,
I.S.Press Road, Cochin-682 018.
4. Union of India, represented by the
Secretary, Department of Revenue,
North Block, New Delhi-11 0001. Respondents

(By Advocate Shri C.B.Sreekumar, ACGSC)

The application having been heard on 16th June, 2003, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is presently working as Superintendent of Central Excise in the Air Cargo Complex, Trivandrum since 15.11.2002. The applicant is claimed to be the Senior-most Superintendent to be promoted as Assistant Commissioner in Kerala under the 3rd respondent. It is averred in the O.A. that all seniors of the applicant in A-1 seniority list were either promoted or retired. The applicant has requested to retain him in Air Cargo Complex, Trivandrum and the 1st respondent has rejected his request and aggrieved by the said rejection, the applicant has filed this O.A. seeking the following reliefs:

i) Call for the records leading up to Annexure A9 and A-10 in so far as the applicant is concerned.

ii) Direct the respondents to retain the applicant in the Air Cargo Complex until his promotion/retirement.

iii) Grant such other relief or reliefs that may be urged at the time of hearing or that this Hon'ble Tribunal may deem fit to be just and proper.

2. Shri C.S.G.Nair, learned counsel appeared for the applicant and Shri C.B.Sreekumar, learned ACGSC appeared for the respondents. When the matter came up for hearing today, learned counsel for the applicant submitted that the applicant had already received an order of transfer to Calicut, his native place and therefore, he is very much satisfied with that and in the circumstance he is not pressing the O.A. and he may be permitted to withdraw the O.A. He further submitted that the applicant who is on leave would be joining Calicut immediately after the leave is expired.

3. Learned counsel for the respondents submitted that he has no objection in permitting the applicant to withdraw the O.A.

4. Accordingly, the applicant is permitted to withdraw this O.A. and the O.A. is dismissed as withdrawn. In the circumstance, there is no order as to costs.

Dated the 16th June, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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