

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH.

Original Application No.318/2001.

Tuesday, this the 28th day of August, 2001.

Hon'ble Shri Justice Ashok Agarwal, Chairman,
Hon'ble Smt. Shanta Shastry, Member (A).

N.B.Jamdade,
Building No.30/1040,
Opp. Golf Club,
Chembur Camp,
Mumbai - 400 074.
(By Advocate Shri S.Natarajan)

...Applicant.

v.

1. Union of India through
The Secretary,
Ministry of Finance,
Department of Revenue,
Government of India,
North Block,
New Delhi - 110 001.
2. The Commissioner of Central Excise,
ICE House, 41/A, Sassoon Road,
Opp. Wadia College,
Pune - 1.
(By Shri V.D.Vadhavkar for
Shri M.I.Sethna)

...Respondents.

: O R D E R (ORAL) :

Smt. Shanta Shastry, Member (A).

The relief sought by the applicant in this OA, is to grant him a promotion from Junior scale Group 'A' to Senior scale Group 'A' w.e.f. 20.11.1984 with consequential benefits.

2. Certain disciplinary proceedings were initiated against the applicant and a penalty of 10% cut in pension for a period of one year had initially been imposed upon the applicant. The aforesaid penalty was later on set aside and the applicant was completely exonerated by an order passed on 26.4.2000. Though the applicant had become eligible for promotion to the senior time scale w.e.f. 20.11.1984, the same was denied to him in view of the disciplinary proceedings and the aforesaid penalty which

had been imposed upon him. Since the applicant has thereafter been completely exonerated by the order dt. 25.4.2000, he is claiming the benefit of the Senior Time Scale w.e.f. 20.11.1984.

3. The Learned Counsel for the Respondents has now produced a letter dt. 25.7.2001 enclosing a notification dt. 16.5.2001 whereby the applicant has been promoted to the Senior Time Scale in the grade of Assistant Commissioner of Customs and Central Excise Group 'A' on ad-hoc basis w.e.f. 20.11.1984. Thus, the applicant has been granted the necessary relief [↓] as prayed for by him in the OA. The OA, therefore, has become infructuous. The applicant agrees. However, he wants the order to be implemented expeditiously. The OA, is therefore disposed of with a direction to the respondents to implement the notification dt. 16.5.2001 granting him all the monetary benefits flowing therefrom within a period of six months from the date of receipt of copy of this order. No costs.

Shanta F
(SHANTA SHASTRY)
MEMBER(A)

B.

Ashok Agarwal
(ASHOK AGARWAL)
CHAIRMAN