

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION :751/2001
DATED 23RD DAY OF JULY,2002

CORAM:HON'BLE SHRI JUSTICE BIRENDRA DIKSHIT, VICE CHAIRMAN
HON'BLE SMT. SHANTA SHASTRY, MEMBER(A)

S.N.Dorwat,
Tax Assistant,
Central Excise & Customs,
Nasik I Division, Nasik.

... Applicant

By Advocate Shri S.P.Saxena

V/s.

1. Union of India,
Through the Secretary,
Ministry of Finance,
Department of Revenue,
Central Board of Excise
and Customs, New Delhi-110 011.

2. The Chief Commissioner of Central Excise,
Western Zone, Churchgate,
Bombay - 400 020.

3. The Commissioner,
Cadre Controlling Authority,
Central Excise Building,
(Bombay-VI)-Dadar,
Bombay -400 028.

... Respondents

By Advocate Shri V.D.Vadhavkar for
Shri M.I.Sethna

(ORAL)(ORDER)

Per Smt.Shanta Shastri, Member(A)

The applicant is a Tax Assistant who is aggrieved by the letter dated 12/10/1999 passed by the respondent no.5 and has prayed to quash and set aside the impugned order of respondent nos.6 to 25 and to direct a review DPC to be held for vacancies of Inspectors of Excise which fell vacant in 1997, 1998 and 1999 and to consider the applicant for promotion for vacancies for each of the above years and to promote him to the post of Inspector of Excise from the date his juniors are promoted.

...2.

:2:

Shri S.P.Saxena, learned counsel for the applicant submits that his case is fully covered by judgement and order dated 31/5/2002 in OA Nos.619 and 685/2001 in the matter of D.B.Shimpi and Anr. At the relevant time, the pleadings has not been completed in the present case and therefore could not be heard alongwith OA No.619/2001.

The learned counsel for the respondents however opposes the same.

We find that the facts and issue invovled in this matter are identical to those in OA Nos.619 and 685/2001 already decided by this Tribunal on 31/5/2002 as pointed out by the learned counsel for the applicant. Accordingly we allow the OA on the same lines as in OA Nos.619 and 685/2001 and pass the same directions. No costs.

Smt. Shanta Shastri
(SMT.SHANTA SHASTRY)
MEMBER(A)

abp

B. Dikshit
(BIRENDRA DIKSHIT)
VICE CHAIRMAN

dt. 23.7.02
order/Judgement despatched
to Applicant/Respondent (s)
on 1.8.2002

[Signature]
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