

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 5 JUL 1988

APPLICATION NO. 984 / 88(F)

W.P. NO. \_\_\_\_\_

Applicant(s)

Shri G.V. Bhat

To

Respondent(s)

V/s

The Chairman, Central Board of Customs &  
Central Excise, New Delhi & 2 Ors

- Shri G.V. Bhat  
Room No. 8, II Stage  
Gayathripuram  
Near Kathonan hall Church  
Mysore - 570 019

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~INTERIM ORDER~~ passed by this Tribunal in the above said application(s) on 1-7-88. The spare copies of the application, if required, may be collected from the Registry of this Tribunal personally.

*R.V. Venkatesh*  
DEPUTY REGISTRAR  
(JUDICIAL)

Encl: As above  
6-7-88

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 1ST DAY OF JULY, 1988

Present } Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
              } and  
              } Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 984/1988

Shri G.V. Bhat,  
U.D.C. (Spl. Pay),  
O/o the Asst. Collector of  
Central Excise, Mandi Mohalla,  
Mysore.

... Applicant.

v.

1. The Chairman,  
Central Board of Customs &  
Central Excise, Govt. of India,  
M/o Finance, New Delhi.

2. The Secretary, Central Board of  
Customs & Central Excise,  
New Delhi.

3. The Collector of Central Excise,  
Bangalore.

... Respondents.

This application having come up for hearing to-day.

Vice-Chairman made the following:

ORDER

Applicant in person.

2. We have perused the office objections and heard  
Shri G.V. Bhat, who is the applicant.

3. In the Confidential Roll of the applicant for the  
year 31.3.1977, the appropriate officer made certain adverse  
entries against him. Aggrieved by the same the applicant  
filed a representation/ appeal before the competent authority  
who by his order dated 3.7.1980 (Annexure-B), rejected the  
same. On making more than one representation on the same



matter the applicant has made this application on 22.6.1988, challenging the adverse entries in his CR for the year 1977 and the order dated 23.7.1980 of the competent officer declining to expunge them.

3. On an examination of the papers, the office has raised an objection that the application which seeks to agitate matters which became final before 1.11.1982 cannot be entertained by this Tribunal.

4. Shri Bhat contends, that on the peculiar facts and circumstances of this case <sup>we</sup> should ignore every one of the technical objections and deal with his case on merits only.

5. As pointed out by the Principal Bench of this Tribunal in V.K. MEHRA v. SECRETARY, MINISTRY OF INFORMATION AND BROADCASTING (ATR 1986 CAT 203) reiterated by us in Dr. KSHAMA KAPUR v. UNION OF INDIA (1987 (4) ATC 329), we cannot adjudicate matters which had become final before 1.11.1982. Without any doubt this is a case in which the matters were concluded against the applicant before 1.11.1982.

6. On the ratio of the rulings in Mehra and Dr. Kshama Kapur's cases we cannot entertain this application. We, therefore, reject this application at the admission stage without notices to the Respondents.

Sd/-  
VICE-CHAIRMAN

TRUE COPY

Sd/-  
MEMBER (A)

11/7/88

bsv/Mrv.

DEPT. SECRETARY (JDI)  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 22 DEC 1988

REVIEW APPLICATION NO. 94 / 88  
IN APPLICATION NO. 984/88(F)  
W.P. NO.

Applicant(s)

Shri G.V. Bhat  
To

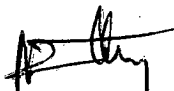
Respondent(s)

V/s The Chairman, Central Board of Customs & Central  
Excise, Delhi & 2 Ors

1. Shri G.V. Bhat  
Upper Division Clerk  
Office of the Assistant Collector  
of Central Excise  
Divisional Office  
Mandi Mohalla  
Mysore - 570 021

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY/INTERIM ORDER~~  
passed by this Tribunal in the above said <sup>Review</sup> application(\*) on 7-12-88.

  
SECTION OFFICER  
~~SECRETARY~~  
(JUDICIAL)

Encl : As above


**In the Central Administrative  
Tribunal Bangalore Bench,  
Bangalore**

G.V.Bhat

V/s The Chairman, CBEC, Delhi & 2 Ors

R.A.No:94 of 1988

Order Sheet (contd)

Date	Office Notes	Orders of Tribunal
		<p>(KSP)VC/(PS)M(A)</p> <p>DECEMBER 7, 1988.</p> <p>Sri G.V.Bhat, applicant in the case is in person.</p> <p>In this application, the applicant has sought for review of an order made by this Tribunal rejecting his Application No.984 of 1988 as beyond its jurisdiction. In making this application for review also there is a delay of 57 days. In I.A.No.I the applicant has sought for condoning the said delay. We have perused the application - I.A.No.I. We are satisfied that the facts and circumstances stated by the applicant in I.A.No.I constitute sufficient ground to condone the delay. We, therefore, condone the delay.</p> <p>After condoning the delay, we have heard the applicant on merits. We find that the subject matter of the original application relates to the adverse entry made in the confidential roll of the applicant for the year 1977 and all the orders made against him had been made prior to 1-11-1982. On that view, we have</p>

Date

Office Notes

Orders of Tribunal



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have rejected the original application holding that we have no jurisdiction to entertain the same. We find no error in our order to justify a review.

In the light of our above discussion, we hold that this review application is liable to be rejected. We, therefore, reject this review application at the admission stage without notices to the respondents.

Sd/-

Sd/-

VICE-CHAIRMAN

MEMBER (A)

7/12/1988

*P. S. 22/12/88*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 21 DEC 1988

CONTEMPT  
PETITION (CRIMINAL) APPLICATION NO. \_\_\_\_\_  
IN REVIEW APPLICATION NO. 94/88  
W.P. NO. \_\_\_\_\_

72

/88

Applicant(s)

Union of India (Chairman, CBEC, Delhi)  
To & 2 Ors

Respondent(s)

Shri G.V. Bhat

1. The Chairman  
Central Board of Customs &  
Central Excise  
Central Revenue Building  
Indraprastha Estate  
Delhi
2. The Secretary  
Central Board of Customs &  
Central Excise  
Central Revenue Building  
Indraprastha Estate  
Delhi
3. The Collector of Central Excise  
Central Revenue Building  
Queens Road  
Bangalore - 560 001

4. Shri M.S. Padmarajaiah  
Central Govt. Stng Counsel  
High Court Building  
Bangalore - 560 001
5. Shri G.V. Bhat  
Upper Division Clerk  
Office of the Assistant Collector  
of Central Excise  
Divisional Office  
Mandi Mohalla  
Mysore - 570 021

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY/INTERIM ORDER  
C.P. (Criminal) application(s) on 7-12-88  
passed by this Tribunal in the above said application(s) on

Encl : As above

SECTION OFFICE  
DEPUTY REGISTRAR  
(JUDICIAL)

In the Central Administrative  
Tribunal Bangalore Bench,  
Bangalore

ORDER SHEET

Applicant

C.P (Criminal) Application No. **72** of 1988

Union of India

Contestant/Respondent

G.V.Bhat

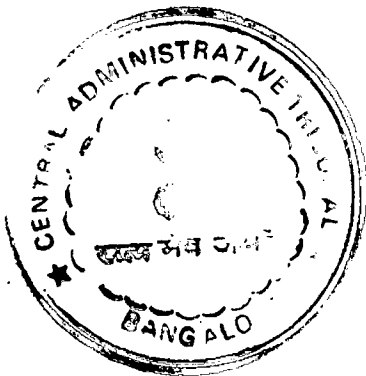
Advocate for Applicant  
Shri M.S. Padmarajaiah

Advocate for Respondent

Date

Office Notes

Orders of Tribunal



(KSP)VC/(PS)M(A)

DECEMBER 7, 1988.

Complainant by Sri M.S. Padma-  
rajaiah. Respondent/Accused is in  
person.

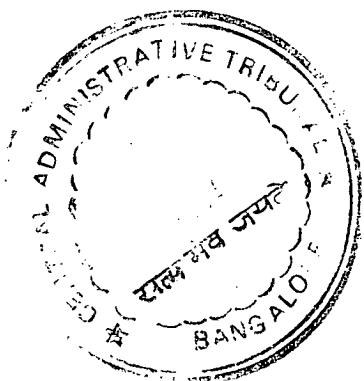
On the suo motu contempt proceed-  
ings initiated by this Tribunal, the  
respondent/accused very rightly realis-  
ing the mistake committed by him has  
tendered a written apology. He has  
appeared in person to-day and regrets  
for his indiscreet action and tenders  
unqualified apology for writing the



Date

Office Notes

Orders of Tribunal



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said letter. We have examined the written apology and the submissions made by the respondent/accused. We are satisfied that the respondent/accused had written the letter out of ignorance and not deliberately. We consider it proper to accept the unqualified apology tendered by the respondent/accused and drop the contempt of Court proceedings. We therefore, accept the unqualified apology tendered by the respondent/accused and drop the contempt of Court proceedings.

Sd/-

VICE-CHAIRMAN. 7/12/88

Sd

MEMBER

*AP 21/12/88*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE