

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 Ores

1. 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/XXXXXXBROCK
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. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

Officed
Engd: As above
6.7.88

9c

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

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

10

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 ~~we~~ 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.

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/-
11/7/1988 TRUE COPY Sd/-
VICE-CHAIRMAN MEMBER (A) 11.7.88

bsv/Mrv.

R. V. Venkatesh
DEPT. OF INFORMATION & BROADCASTING
CENTRAL GOVERNMENT OF INDIA
BANGALORE

CD
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 22 DEC 1988

REVIEW APPLICATION NO. 94
IN APPLICATION NO. 984/88(F) 88
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/~~STAX/ADDITIONAL ORDER~~
passed by this Tribunal in the above said Review application(s) on 7-12-88.

AP Bhat
SECTION OFFICER
~~STAX/ADDITIONAL ORDER~~
(JUDICIAL)

Encl : As above

In the Central Administrative
Tribunal Bangalore Bench,
Bangalore

G.V.Bhat

v/s The Chairman, C.A.T. Delhi & 2 Ors

I.A.No.94 of 1988

Order Sheet (contd)

Date	Office Notes	Orders of Tribunal
		<p><u>Copy</u></p> <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.1 the applicant has sought for condoning the said delay. We have perused the application - I.A.No.1. We are satisfied that the facts and circumstances stated by the applicant in I.A.No.1 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



TRUE COPY

SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

D. Shy 22/12/88

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/-

VICE-CHAIRMAN

22/12/1988

MEMBER (A)

Sd/-

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 21 DEC 1988

CONTEMPT

PETITION (CRIMINAL) APPLICATION NO.
IN REVIEW APPLICATION NO. 94/88

72

/88

W.P. NO.

Applicant(s)

Union of India (Chairman, CBEC, Delhi) v/s Shri G.V. Bhat
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/STAN/INTERIM ORDER
passed by this Tribunal in the above said application(s) on C.P. (Criminal) 7-12-88

Encl : As above

SECTION OFFICE
REXXREXXREXXREXX
(JUDICIAL)

In the Central Administrative
Tribunal Bangalore Bench,
Bangalore

ORDER SHEET

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

Applicant

Union of India

Advocate for Applicant

Shri M.S. Padmarajiah

Contestant/Respondent

G.V. Bhat

Advocate for Respondent

Date:

Office Notes

Orders of Tribunal



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

DECEMBER 7, 1988.

Complainant by Sri M.S. Padmarajiah. Respondent/Accused is in person.

On the suo motu contempt proceedings initiated by this Tribunal, the respondent/accused very rightly realising 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

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. Therefore, I accept the unqualified apology tendered by the respondent/accused and drop the contempt of Court proceedings.



TRUE COPY

Sd/-

Sd

VICE-CHAIRMAN. 7/12

MEMBER

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