

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

37

C.P.No.32/92 in
O.A.411/90,362/90,396/90, 397/90,
398/90, 399/90 and 409/90

- | | |
|-------------------|-----------------------------|
| 1. K.N.Rangaraman | .. Petitioner in O.A.411/90 |
| 2. R.H.Mahajan | .. Petitioner in O.A.362/90 |
| 3. A.R.C.Rubero | .. Petitioner in O.A.396/90 |
| 4. R.A.Shaikh | .. Petitioner in O.A.397/90 |
| 5. P.M.Parab | .. Petitioner in O.A.398/90 |
| 6. I.N.Georgebhai | .. Petitioner in O.A.399/90 |
| 7. S.M.Kulkarni | .. Petitioner in O.A.409/90 |

-versus-

Union of India Ors. .. Contemners

Coram: Hon'ble Shri Justice S.K.Dhaon
Vice-Chairman.

Hon'ble Ms.Usha Savara,
Member(A)

Appearances:

1. Mr.M.S.Ramamurthy
Advocate for the
Petitioners.
2. Mr.M.I.Sethna
Counsel for
contemners.

TRIBUNAL'S ORDER:

Date: 29-1-1993

By a common judgment, this Tribunal on 18-7-1991 disposed of O.A.Nos.362/90, 396/90, 397/90, 398/90, 399/90, 409/90 and 411/90. This C.P, has been filed in O.A.362/90 and the compliant is that the directions given by this Tribunal by its aforesaid judgment have not been carried out.

2. During the pendency of this application an order was passed on 21-9-1992. The services of no less than 85 Appraisers were regularised. By another order dt. 28-1-1993 the President

has promoted on purely adhoc basis certain Superintendents of Central Excise Group 'E' to officiate in the grade of Assistant Collector of Customs. This order covers 60 persons. The two orders if read together would show that an attempt has been made to fully comply with the directions given by this Tribunal. Prima-facie no case is now made out for initiating any contempt proceedings. However, Shri Ramamurthy states that there is a possibility that some of the applicants in the aforesaid OAs ^{have} not ~~being~~ given the benefit of the judgment of this Tribunal. He prays that we should pass some orders safeguarding their interest.

3. We, therefore, make it clear that if any of the applicants in the aforementioned OAs feels that the directions of the Tribunal have not been carried out it will be open to him to approach this Tribunal by means of an appropriate application.

4. With these observation this CP is disposed of.

CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

M.P.No.161/93 In
Original Application No. 362/90

P.H.Mahajan & Ors.

..Applicant

V/s

Union of India & Ors.

..Respondents

Ceram : The Hon'ble Vice Chairman Shri S.K.Dhaen.
The Hon'ble Member (A) Ms. Usha Savara.

Tribunal's Order :

Dt.26.2.93

Shri M.S.Ramamurthy for the applicant.

2. A copy of M.P.No. 161/93 has been served on the learned counsel for the respondents.

3. Shri Ramamurthy points out that certain typographical errors as well as an error due to an inadvertence has crept in our order dated 29.1.93. He prays that the defects may be rectified.

4. In the order the Applicant No.1 is shown as K.N. Rengaraman instead of K.N.Gangaramani & Ors. The second applicant has been described as R.H.Mahajan instead of P.H.Mahajan & Ors. The applicant No. 3 has been described as A.R.C. Rubero instead of A.R.C. Rebeiro & Ors. The applicant No. 6 has been described as I.N.Georgebhai instead of J.M.George & Ors.

5. Shri Ramamurthy also states that in the 7 original applications which we disposed of on 29.1.93, there are more than one applicants and therefore there is yet another typographical error in so far as instead of Petitioners, "Petitioner" is indicated against the names of each of the applicants.

6. The 3rd mistake pointed out is that in paragraph 2 of our order we have wrongly mentioned Superintendents of Central Excise Group 'E' which should have been instead of Superintendents of Central Excise Group 'B'. He also states that each of the applicants in these applications were really Appraisers Group 'B'. He, therefore, prayed that the necessary corrections may be made so as to include Appraisers Group 'B' as well.

7. We, therefore, direct that necessary changes shall be made in our order dated 29.1.1993 as indicated above and on page 2 of our order instead of for Group 'E', Group 'B' shall be deemed to be substituted and after Group 'B' the words "and Appraisers Group 'B'" shall be deemed to be inserted.

8. The office shall make the necessary corrections and thereafter issue fresh ^{certified} copies to the parties.

9. M.P. disposed of.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(5)

C.P.No.32/92 in
O.A.411/90, 362/90, 396/90, 397/90,
398/90, 399/90 and 409/90

1. ^{Gangaramani & oes-} K.N. Gangaraman .. Petitioners in O.A.411/90
2. P. H.H. Mahajan & oes .. Petitioners in O.A.362/90
3. A.R.C. Rubero Rebelico & oes .. Petitioners in O.A.396/90
4. R.A. Shaikh & oes .. Petitioners in O.A.397/90
5. P.M. Parab & oes .. Petitioners in O.A.398/90
6. I.N. Georgebhai J.M. George & oes .. Petitioners in O.A.399/90
7. S.M. Kulkarni & oes .. Petitioners in O.A.409/90

-versus-

Union of India Ors. .. Contemners

Coram: Hon'ble Shri Justice S.K.Dhaon
Vice-Chairman.

Hon'ble Ms. Usha Savara,
Member(A)

Appearances:

1. Mr. M.S. Ramamurthy
Advocate for the
Petitioners.
2. Mr. M.I. Sethna
Counsel for
contemners.

TRIBUNAL'S ORDER:

Date: 29-1-1993

By a common judgment, this Tribunal on 18-7-1991 disposed of O.A.Nos. 362/90, 396/90, 397/90, 398/90, 399/90, 409/90 and 411/90. This C.P., has been filed in O.A.362/90 and the compliant is that the directions given by this Tribunal by its aforesaid judgment have not been carried out.

2. During the pendency of this application an order was passed on 21-9-1992. The services of no less than 85 Appraisers were regularised. By another order dt. 28-1-1993 the President

(57)

9/11/93
"B" & "Appraisers Group 'B'"

has promoted on purely adhoc basis certain Superintendents of Central Excise Group 'B' to officiate in the grade of Assistant Collector of Customs. This order covers 60 persons. The two orders if read together would show that an attempt has been made to fully comply with the directions given by this Tribunal. Prima-facie no case is now made out for initiating any contempt proceedings. However, Shri Ramamurthy states that there is a possibility that some of the applicants in the aforesaid OAs ^{have} not been ~~being~~ given the benefit of the judgment of this Tribunal. He prays that we should pass some orders safeguarding their interest.

3. We, therefore, make it clear that if any of the applicants in the aforementioned OAs feels that the directions of the Tribunal have not been carried out it will be open to him to approach this Tribunal by means of an appropriate application.

4. With these observation this CP is disposed of.

The Correction in above Tribunal's order are carried out as per instructions in para 8 of Tribunal's order dt 26/2/93 on MP 161/93

[Signature]
11/3/93