

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(2)

O.A. NO: 919/92

199

XXXXXQxx

DATE OF DECISION 4.9.1992

Shri Sudhakar Baburao Ghare Petitioner

Shri G.K. Masand Advocate for the Petitioners

Versus

Union of India and others. Respondent

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice S.K. Dhaon, Vice Chairman

The Hon'ble Mr. M.Y. Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

(S.K.DHAON)
VICE CHAIRMAN

mbm*

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 919/92

Shri Sudhakar Baburao Ghare

... Applicant.

V/s.

Union of India, through the
Secretary in the Ministry of
Finance, Department of Revenue,
North Block, New Delhi.

Principal Collector of Customs
New Custom House, Ballard Estate
Bombay.

Addl. Collector of Customs
(Preventive), Marine and
Preventive Wing, Everest House,
2nd Floor, 100 Marine Line
Bombay.

... Respondents.

CORAM: Hon'ble Shri Justice S.K. Dhaon, Vice Chairman.
Hon'ble Shri M.Y. Priolkar, Member (A)

Appearance:

Shri G.K. Masand for Mr. G.R.
Menghani, counsel for the
applicant.

JUDGEMENT

Dated: 4.9.92

{ Per Shri S.K. Dhaon, Vice Chairman }

The order dated 19.6.92 passed by the
Additional Collector of Customs, transferring the
applicant from Bombay to Murd is being impugned in
the present application.

It appears that the applicant made
representations dated 29.6.92, 15.7.92 and 17.8.92
to the Additional Collector of Customs and to the
Principal Collector of Customs, praying that the
order of transfer may be resented. It is alleged
that so far none of the representations have been
disposed off. In our opinion, the representations should
have been addressed to the Principal Collector of
Customs and not to the Officer who had passed the
order of transfer. The Principal Collector of Customs
shall dispose off the representation dated 17.8.92

of the applicant as expeditiously as possible, keeping in view the facts asserted therein. We are informed that these days the applicant was on medical leave. However, we feel that till the representation is disposed off by the Principal Collector of Customs, the impugned order of transfer, so far as it relates to the applicant, may not be implemented, if it ^{has} is not been implemented so far. However, we make it clear that if some one is already joined on the post ~~converseant~~ of the applicant, this order will have no efficacy.

With these directions this application is disposed off finally, but without any order as to costs.


(M.Y. PRIOLKAR)
MEMBER(A)


(S.K. DHAM)
VICE CHAIRMAN

NS/