

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

34
Annexure - A4

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated 26 NOV 1991

APPLICATION NO (8)

386

/ 90(F)

U.P. NO (S)

Applicant (s)

Shri R. Govinda

To

Respondent (s)

V/s

The Deputy Collector of Central Excise
(P&E), Bangalore & 2 Ors

1. Shri R. Govinda
Lower Division Clerk
Office of the Assistant Collector
of Central Excise
Kalamma Street
Bellary - 583 101
2. Shri A.M. Subbayya
Advocate
No. 128, III Stage
Vinayaka Layout
Vijayanagar
Bangalore - 560 048
3. The Deputy Collector of
Central Excise (P&E)
Central Revenue Buildings
Queen's Road
Bangalore - 560 001
4. The Secretary
Central Board of Excise & Customs
Department of Revenue
Ministry of Finance
North Block
New Delhi - 110 001
5. Shri K. Ramappa
Upper Division Clerk
Office of the Assistant
Collector of Central Excise
Kalamma Street
Bellary - 583 101
6. Shri M.S. Padmarajiah
Central Govt. Sng Counsel
High Court Building
Bangalore - 560 001

Subject : FORWARDING COPIES OF THE ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of the ORDER/XXXX/

XXXXXX passed by this Tribunal in the above said application(s) on 10-10-91.

This is the document

Referred as Annexure

in the name of

Advocate for Applicant.

for DEPUTY REGISTRAR
(JUDICIAL)

35

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE TENTH DAY OF OCTOBER 1991

Present :

Hon'ble Shri Syed Fazlulla Razvi ... Member [J]

Hon'ble Shri S. Gurusankaran ... Member [A]

APPLICATION NO. 386/1990

SRI R. Govinda,
Lower Division Clerk,
Office of the Assistant
Collector of Central Excise,
Kalamma Street,
Bellary-583 101.

...Applicant

[Shri A.M. Subbyya ... Advocate]

v.

1. The Deputy Collector of
Central Excise (P&E),
Central Revenue Building,
Queen's Road,
Bangalore-560 001.

2. The Secretary,
Central Board of
Excise & Customs,
Central Secretariat,
North Block,
New Delhi-110 001.

Shri K. Ramappa,
Upper Division Clerk,
Office of the Assistant
Collector of Central Excise,
Kalamma Street,
Bellary-583 101.

... Respondents

[Shri M. S. Padmarajappa ... Advocate]

This application having come up for orders before this Tribunal today, Hon'ble Shri Syed Fazlulla Razvi, Member [J], made the following:

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ORDER

(36)

In this application filed, the applicant has sought the following reliefs:

- a) To quash the order dated 18.12.1989 produced at Annexure H.
- b) to issue directions to the respondents for readjusting promotions and reversions and then refix the seniority of the applicant in the grade of Lower Division Clerks in terms of the decision of 2nd respondent communicated in letter dated 9.12.1988 and 2.9.1988 and also to direct the 1st respondent not to promote any LDC appointed against 10% quota till refixation of seniority is completed.
- c) To order consequential relief in respect of pay and allowances.

and

- d) To direct the respondents to promote the applicant as UDC on the basis of refixed seniority.

2. This is the second round of litigation between the applicant and the respondents. The applicant along with another G.D. Ramegowda had filed A Nos.1645 and 1690/88 before this Tribunal which were disposed of by a common order dated 14.2.1989 as per Annexure B filed along with this application. In those applications the present applicant and said Ramegowda had challenged the orders of reversion from the post of Lower Division Clerk (LDC for short) when on the basis of departmental examination held in 1985, the Collector of Central Excise and Customs, Bangalore, had promoted them as LDCs which posts they had taken charge on 21.3.1986 and from which they subsequently came to be reverted by order dated 28.9.1988. This Tribunal while disposing of said appli-

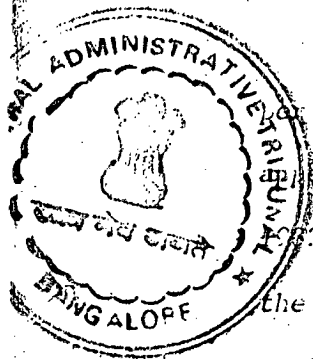
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cations No.1645 and 1690/88 in its order dated 14.2.1989 referred to the relevant recruitment rules for filling up the posts of LDCs, the letter dated 9.12.1982 issued by the Board and the subsequent clarification issued by the Board vide its letter dated 2.9.1988, in detail, pointed out that whatever was done contrary to the recruitment rules framed under the proviso to Article 309 of the Constitution was invalid and left it to the authorities to redo the matter. This Tribunal quashed the order of reversion of the applicant and another and observed thus:

"But this order does not prevent the Collector and other authorities from reexamining the whole matter, readjusting the promotions and reversions in conformity with law and the observations made in this order."

3. The order passed in A No.1645 and 1690/88 has become final and binding, since the same has not been appealed against. It is not necessary for us to repeat the facts already contained in the order produced at Annexure B. Suffice will it be for us to state a few additional facts which are not controverted, and relevant for the disposal of this application. Those facts are:



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In respect of filling up 10% of the vacancies of LDCs as per the recruitment rules from Group D posts, the applicant had appeared for the departmental examination conducted for the year 1982 on 10.1.1983 and for the year 1983 on 28.9.1983 but however the results in those examinations were not communicated to the applicant and other departmental candidates until 1989. In the meanwhile the applicant again appeared for such examination for the year 1985, no examination having been conducted for the year

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1984, on 20.12.1985 and after such examination, the applicant was appointed as LDC on 19.3.1986. The 3rd respondent as seen from Annexure A, which is the seniority list of sepoys as on January 1982 was junior to the applicant, the applicant's ranking in Annexure A being at S.No.278 while that of Respondent 3 was at S.No.351. The 3rd respondent came to be appointed as LDC in the year 1983. Subsequently in 1989 by letter dated 9.2.89 (copy produced at Annexure C) the applicant was informed that he had passed the departmental examination held for the year 1982 on 10.1.1983. Thus on having come to know that he had passed the departmental examination for the post of LDC out of the 10% quota reserved for departmental candidates for 1982 the applicant gave a representation as per Annexure D dated 23.3.1989 requesting to restore his appointment as LDC in the year 1982 and re-fix his seniority in the grade of LDC. To this representation the applicant received a reply dated 28.11.1989 as per Annexure E, the relevant portion of which reads thus:

"6. As per CAT's judgment, you were reinstated and also as per the same judgment the matter has been referred to the Board for re-examining the whole issue for re-adjusting the promotion and reversions in respect of appointment made against 10% quota.

7. Hence your request for re-fixing the seniority based on the qualifying examination, can be dealt with only on receipt of orders from the Central Board of Excise & Customs."

Again the applicant gave a representation as per Annexure F dated 26.12.1989 reiterating his claim and to this representation reply was given as per Annexure G dated 3.1.1990 to the following effect --

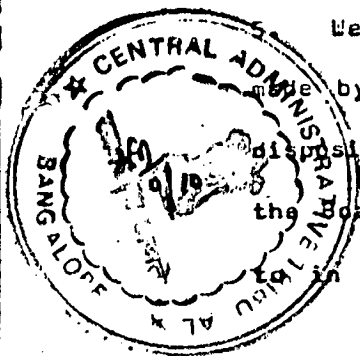
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"With reference to your above cited representation I am directed to inform you that the matter relating to refixing seniority is under consideration of the Board as already informed in this office reply given under this office reference of even number dated 28.11.88."

In the meanwhile Respondent 3 came to be promoted on ad hoc basis to officiate as Upper Division Clerk (UDC for short). The applicant being aggrieved by the non consideration of his claim for refixing seniority over and above Respondent 3 in the cadre of LDCs and the promotion of Respondent 3 as UDC who according to the applicant would be junior to him in the cadre of LDCs if the refixation is done, has come up with this application.

4. On the side of the respondents supporting the stand taken in the reply it is urged that the 3rd respondent is senior to the applicant in the seniority list of LDCs as it exists and as such he came to be promoted and further that the refixation of seniority of the applicant as per the representations made by him and as per the observations made by this Tribunal in its order dated 14.2.1989 in applications No.1645 and 1690/88 is under consideration. We find from a copy of the order No.161/90 dated 27.9.1990 produced along with the reply that the 3rd respondent and two others who had been promoted earlier on purely ad hoc basis have been regularly promoted as UDCs.

We are distressed to note that in spite of the observations made by this Tribunal in para 13 of the order dated 14.2.1989 disposing of applications No.1645 and 1690/88 and the issue of the Board's letters dated 9.12.1982 and 2.9.1986 fully adverted to in that order, the respondents are yet to redo the matter



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and refix the seniority in the cadre of LDCs and have been promoting persons to the cadre of UDCs on the basis of the seniority list prepared ignoring the claim of persons like the applicant. This Tribunal decided A No.1645 and 1690/88 on 14.2.1989 and more than 2 years 8 months have elapsed after that order and even till this day the respondents are stating that the question of refixing the seniority in the cadre of LDCs is still under consideration.

6. The 3rd respondent, though served has not appeared and contested this application. In the facts and circumstances of the case and having regard to the observations made by this Tribunal in its order dated 14.2.1989 in the previous application No.1690/88 between the same parties we are not inclined to quash the promotion of Respondent 3 as UDC. We are also not inclined to direct the 1st respondent not to promote any LDC appointed against 10% quota till refixation of seniority is completed. We feel that in the interest of justice, this application has to be partly allowed and disposed of by giving the following directions:

- (i) We direct the respondents for re-adjusting the promotions and reversions and refix the seniority of the applicant in the cadre of LDCs in accordance with law and in the light of the observations made by this Tribunal in its order dated 14.2.1989 in Applications No.1645 & 1690/88.
- (ii) If on such refixation the applicant becomes entitled to be appointed as LDC from an earlier date he should be awarded consequential benefits in respect of pay and allowances including arrears.
- (iii) To consider the case of the applicant for promotion to the grade of UDC on such refixation and to promote him, if he is otherwise suitable for such promotion with effect from the date his immediate junior in the refixed seniority list of LDCs came to be promoted as UDC with all

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(47)

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consequential benefits in respect of pay and allowances including arrears. In case he is promoted from a retrospective date as UDC, that period will also count for eligibility for further promotions.

- (iv) The respondents to comply with the directions aforesaid as expeditiously as possible but not later than six months from the date of receipt of a copy of this order.

7. We accordingly give the above directions and dispose of this application with no order as to costs.



Sd-

MEMBER (A)

Sd-

MEMBER (J)

TRUE COPY

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P. Thy 26/11/91
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

This is the document
Reference No. <i>A4</i>
By <i>R. Govindaraj</i>
<i>M. Chandrasekhara</i>
Advocate for the Petitioner

Reg. for

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 7 APR 1993

APPLICATION NO (S) 98/93.

W.P. NO (S)

Applicant (s) Govinda


v/s. Respondent (s) Deputy Collector of
Central Excise (P&V), & Others.

- Received
Referred
4/4/93
1. Sh. Govinda,
Upper Division Clerk,
Office of the Assistant
Collector of Central Excise,
Gopaleswamy Mudaliar Road,
Gandhinagar, Bellary-583101.
 2. Sh. R. U. Goulay,
Advocate,
No. 90/1, II Block,
Thyagarajanagar,
Bangalore-560 028
 3. The Deputy Collector of Central
Excise (P&V), Central Revenue
Building, Queens Road,
Bangalore-560 001.

4. Secretaty,
Central Board of Excise and
Customs, Deptt. of Revenue,
M/o. Finance,
North Block,
New Delhi-110001.
5. Sh. Rajagowda,
Stenographer-Grade-III,
Office of the Assistant
Collector of Central
Excise, Basaveswara Bldg,
Crescent Road,
Bangalore-VI Division,
Bangalore-560 001.
6. Sh. M. Vasudeva Rao,
Central Govt. Stng. Counsel,
High Court Building,
Bangalore-1.

Subject : FORWARDING COPIES OF THE ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of the ORDER/STAY/
INTERIM ORDER passed by this Tribunal in the above said
application (s) on 29-03-93.


DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 29TH OF MARCH, 1993

Present: Hon'ble Shri V. Ramakrishnan Member (A)

Hon'ble Shri A.N. Vujjunaradhaya Member (J)

APPLICATION NO.98/93

Shri Govinda,
Upper Division Clerk
Office of the Assistant
Collector of Central Excise,
Gopalaswamy Mudaliar Road,
Gandhinagar,
Bellary - 583 101

Applicant

(Shri R.U. Goulay - Advocate)

v.

1. The Deputy Collector of Central
Excise (P&V),
Central Revenue Buildings,
Queens Road,
Bangalore - 560 001
2. The Central Board of Excise and
Customs, Department of Revenue,
Ministry of Finance, by its
Secretary to Govt. of India,
North Block, New Delhi - 110 001
3. Shri Rajagowda, Major,
working as Stenographer Gr.III,
Office of the Asst. Collector of
Central Excise, Basaveswara Building,
Crescent Road, Bangalore VI division,
Bangalore - 560 001

Respondents

(Shri M.V. Rao - Advocate)

This application has come up before this
Tribunal for orders. Hon'ble Shri V. Ramakrishnan,
Member (A) made the following:

ORDER

The applicant Shri R. Govinda has approached
this Tribunal for the third time seeking redressal

against the action of the Deputy Collector of Central Excise, Bangalore and the Central Board of Excise & Customs which has resulted in issue of an order to him reverting him from the post of Upper Division Clerk (UDC for short) to that of a Sepoy. The matter came up before this Tribunal on earlier occasions by A.Nos.1645 and 1690 of 1988 disposed off on 14.2.89 and A.No.386/90 disposed off on 10.10.91. Without repeating in detail the facts and the reasonings given in these judgments, we shall briefly indicate the background to the case as follows.

2. The applicant was recruited as a Sepoy in Central Excise Deptt. on 24.6.76 and was confirmed as such on 26.3.76. The Central Excise and Land Customs Department Group 'C' posts Recruitment Rules, 1979 made by the President in exercise of the powers conferred on him by the proviso to Article 309 of the Constitution and published in the Gazette on 2.6.79 provided, inter alia, that the method of recruitment to the post of L.D.C. will be by direct recruitment subject to the provisions as follows:

"By direct recruitment

Note:

(1) 10% of the vacancies in the grade of Lower Division Clerk to be filled by direct recruitment will be reserved for being filled up by Group 'D' employees (borne on regular establishment) subject to the following conditions namely:

(a) selection would be made through a departmental examination confined to such Group 'D' employees who fulfil the requirement of minimum educational

qualification, namely, matriculation or equivalent:

(b) the maximum age for this examination would be 45 years (50 years for Scheduled Caste or Scheduled Tribe candidates).

(c) at least five years service in Group 'D' would be essential.

(d) the maximum number of recruits by this method would be limited to 10% of the vacancies in the cadre of Lower Division Clerks occurring in a year : unfilled vacancies would not be carried over.

3. Apparently, on the basis of a request from the Customs and Central Excise Federation, a decision was taken to bifurcate the 10% quota into two components as follows:

- i) 5% vacancies in a calendar year shall be filled on the basis of seniority subject to rejection of unfit; and
- ii) the remaining 5% on the basis of qualifying examination with typing test to be held departmentally (in other words the examination is a qualifying one and not a competition test).

This was communicated to all the Collectors by the Board by its letter No.B-12014/3/82-Ad.III-B dated the 9th December, 1982. The Collector conducted an examination on 28.9.83 in which the applicant was successful. In 1984 and 1986, no examinations were held. In the examination for the year 1985 held on 20.12.85, the applicant came out successful securing a high rank. On the basis of this rank, he was promoted as L.D.C. on 19.3.86. Subsequently, the Board in its letter No.A-12014/3/SSC/87-Ad.III-B dated 2.9.88 informed the Collector that those Group 'D' employees who qualified the 1982 examination may be appointed

first to the post of L.D.C. by reverting the 1985 appointees and vacancies of 1985, 1986 and 1987 may be filled up first from the 1982 panel. It further stated that the persons qualified in the examination will be senior to the ones who qualified in the subsequent examinations. After getting this communication, the Collector reverted the applicant without giving him an opportunity to state his case. When he approached this Tribunal against the reversion order, the latter by its order dated 14.2.89 in O.A.No.1645 & 1690/1988 quashed the order of reversion for the reason that no show cause notice was given to the applicant and also that the decision to bifurcate the 10% quota was not given statutory force by amendment of the Recruitment Rules (RRs for short). The Tribunal, however, gave the liberty to the Collector for re-examining the whole matter re-adjusting the promotions and reversions in conformity with law.

4. The applicant again approached this Tribunal in A.No.386/90 seeking directions to re-adjust his seniority in the grade of L.D.C. and to promote him as U.D.C. on the basis of re-fixed seniority. The Tribunal in its order dated 10.10.91 directed the official respondents to re-adjust the promotions and reversions and re-fix the seniority of the applicant in the cadre of L.D.C. in accordance with law and in the light of the observations made by this Tribunal in its order dated 14.2.89 in A.Nos.1645 and 1690 of

1988. It further directed that if on such re-fixation, the applicant becomes entitled to be appointed as L.D.C. from an earlier date, he should be awarded consequential benefits in respect of pay and allowances including arrears. Further, the case of the applicant should be considered for promotion to the grade of U.D.C. on such re-fixation and he should be promoted if he is suitable w.e.f. the date his junior in the list of LDCs came to be promoted as UDC, with all consequential benefits.

5. It may be mentioned here that the Collector by his order dated 25.7.89 confirmed the applicant as LDC w.e.f. 29.6.89. The applicant also came to be appointed on an ad hoc basis to officiate as U.D.C. and he was promoted to officiate as U.D.C. on regular basis by the Collector vide his order No.C.No.II/3/88/91-A.I dated 26.11.91.

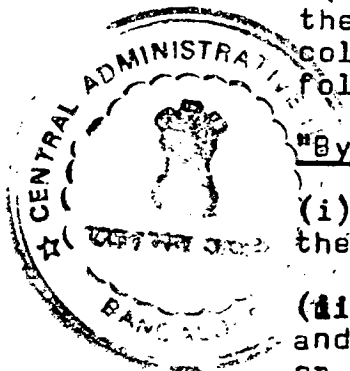
6. Another development which took place in 1991 was issue of a Notification amending the RRs vide GSR No.589 published in the Gazette on 19.10.91. It substituted the RRs for the post of LDC as follows:

"(a) against serial No.7 relating to the post of Lower Division Clerk, in column:1, for the existing entries the following shall be substituted namely:

"By direct recruitment

(i) 90% by direct recruitment through the Staff Selection Commission;

(ii) 5% from amongst the Group 'D' staff and Record Keepers who possess Matriculation or equivalent qualification and rendered 5 years' regular service in Group 'D'



or in Group 'D' and Record Keeper, taken together, as the case may be, on the basis of a departmental qualifying examination with typing test:

The maximum age limit for eligibility for examination is 45 years.

(50 years for the SC/ST).

Note -1(a) Unfilled vacancies pertaining to a particular year shall not be carried over.

(b) If more of such employees than the number of vacancies available under clause (ii) qualify at the said examination, such excess number of employees shall be considered for filling the vacancies arising in the subsequent years so that the employees qualifying at an earlier examination are considered before those who qualify at a later examination.

Note-2

Educationally qualified Laboratory Attenders who have initially been recruited through Employment Exchange can also compete for the post of Lower Division Clerk against 5% vacancies reserved for Group 'D' employees by allowing them to deduct the period of service rendered as Laboratory Attender including service, if any, in Group 'D' earlier from their actual age for the purpose of reckoning age limit. Laboratory Attenders promoted from Group 'D' posts will also be eligible.

(iii) 5% from amongst Group 'D' employees, Laboratory Attender and Record Keepers who -

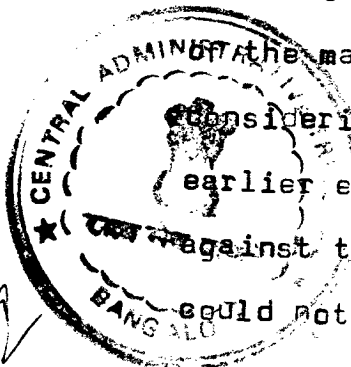
(a) have passed Matriculation or equivalent examination and (b) have rendered 5 years' regular service in Group 'D' or in Group 'D' Laboratory Attender and Record Keeper, taken together, as the case may be on seniority-cum-fitness basis. There shall be no age limit."

The Notification further provided that this amendment ^{in respect of (a)} shall be deemed to have come into force w.e.f. 9.12.82. The explanatory Memo to the amendment stated as follows:

Following representations from the staff side, the Government had issued instructions on the 9th December, 1982 that out of 10% quota reserved for Group 'D' staff, in the

Lower Division Clerk's grade, 5% vacancies will be filled up by seniority and 5% vacancies on the basis of a qualifying examination. Since these instructions are being followed and amendments of the rules is to regularise the said position formally no one will be adversely affected as a result of retrospective effect being given in this regard.

7. Suddenly, in June, 1992, vide communication No.II/31/34/91-A.I dated 9.6.92(Annexure A-6) issued by the Collector to the applicant, the applicant was asked to show cause as to why his promotion as UDC and the order confirming him in the grade of LDC should not be withdrawn and he should not be reverted to the grade of Sepoy. The applicant submitted his representation on 31.7.92 and also on 19.10.92 protesting against any such action. In fact, he wanted his seniority to be re-fixed at a higher position both in the grade of L.D.C. and U.D.C. The Collector, however, passed an order No.II/31/34/91-A.I dated 31.12.92 (Annexure A.11) holding that consequent on issue of amended RRs, the appointment made in the cadre of LDCs from among the Group 'D' were reviewed from 1983 onwards and it was found that S/Shri R. Govinda and G.D. Ramegowda who were appointed in the year 1986 on the basis of the exam held on 20.12.85 is not in order, since they were appointed on the basis of the marks obtained in the said exam without considering their seniors who had qualified in the earlier examination. It was further found that even against the vacancies which arose subsequently they could not be adjusted either against the 5%



seniority quota or against 5% examination quota. He cancelled the promotion order of Shri Govinda, UDC, his confirmation in the grade of LDC and also his appointment in the grade of LDC. The order further stated that he shall stand reverted to the post of Sepoy.

8. The applicant finding that instead of gaining seniority at the level of LDC and UDC he has been reverted to the post of Sepoy has approached this Tribunal for quashing the order C.No.II/31/34/91-A.I dated 31.12.92 (Annexure A.11) and to issue a direction to maintain the status quo of the applicant as UDC in the Department. He has also prayed that the order dated 19.10.91 giving retrospective effect from 9.12.82 shall be quashed.

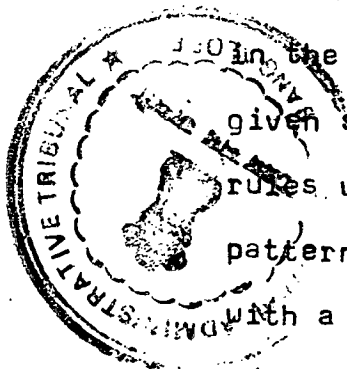
9. Shri R.U. Goulay appeared for the applicant and Shri M.V. Rao for the official respondents.

10. The applicant has further prayed for an interim order to stay the order dated 31.12.92. The Tribunal vide its order dated 29.1.93 directed that if the reversion has not been taken place, the same shall not be given effect to. The respondents have stated that the applicant was relieved from the post of UDC w.e.f. 31.12.92 whereas the learned counsel for the applicant contends that he continues to function as UDC even now.

11. The learned counsel for the applicant has also drawn attention to the judgment of the Supreme Court in the case of STATE OF BIHAR AND OTHERS v. SHRI AKHOURI SACHINDRA NATH AND OTHERS - AIR 1991 SC 1244

where the Apex Court has ruled that promotion with retrospective effect when it affects others in service adversely is impermissible. He has accordingly contended that the reversion of the applicant with a view to promoting others retrospectively is not permissible.

12. It is clear from the records that the applicant was appointed as LDC on the basis of an examination held in 1983 and also in 1985 on merit. The earlier RRs which were promulgated on 2.6.79 provided that 10% of the vacancies in the grade of LDC to be filled by direct recruitment will be reserved for Group 'D' subject to certain conditions. In other words, it is the performance in the examination and not the seniority in Group 'D' which is relevant for consideration and appointment as LDC. The subsequent stand of the Department that the 10% will be reduced to 5% for Group 'D' staff who took the examination and that such examination is in the nature of qualifying examination where seniority and not the position in the examination will be the criterion was not given statutory backing till 19.10.91. When the rules were amended on 19.10.92, the revised pattern was given retrospective effect from 9.12.82 with a further assertion that no one will be adversely affected as a result of retrospective effect being given in this regard. Such a statement obviously was incorrect as the applicant and others who came out successful and got a higher rank in the examination for LDCs are in fact being adversely affected. As regards the reference to the Supreme



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Court decision, it may be stated that the present case is one where the applicant has been reverted to a lower post with a view to promoting some others. It has not been brought out clearly that such promotion of others is sought to be given retrospectively. However, we hold that retrospective amendment of rules adversely affecting persons who had received certain benefits as per the earlier set of rules will not stand judicial scrutiny. We have to observe that the Department has not properly appreciated the spirit of the judgments given by this Tribunal by its order dated 14.2.89 in A.Nos.1645 and 1690 of 1988 and 10.10.91 in A.No.386/90. We,

therefore, quash the Notification GSR 589 dated 19.10.91 in so far as it seeks to give retrospective effect to Rule 2(a). We also quash the order dated 31.12.92 (Annexure A.11) which seeks to prevent the applicant from the post of LDC to that

of Sepoy and which cancels his appointment in the grade of UDC, his confirmation in that grade and his promotion as UDC. The Department should re-appoint him as UDC if he had been relieved from that post with effect from the date of relief and with all consequential benefits. We further direct that the Department should implement the directions contained in this Tribunal's order dated 10.10.91 para 6(i) to (iii) within a period of two months from the date of receipt of a copy

of this order. No-costs.

SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH

BANGALORE

MEMBER (J)

MEMBER (A)

TRUE COPY

[Signature]

-Scd-

-Scd-

29/3/93

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560038.

Misc. Application No. 368/93 in Dated 27 SEP 1993

APPLICATION NO(S) 98 of 93.

APPLICANTS: Govinda

v/s. RESPONDENTS: Deputy Collector of
Central Excise (P&V), Bangalore & Ors.

TO.

1. Sri.R.U, Goulay, Advocate, No. 90/1, Second Block,
Hyagarajanagar, Bangalore-560028.
2. Sri.M.Vasudeva Rao, Central Govt. Stng. Counsel,
High Court Building, Bangalore-1.
3. The Deputy Collector of Central Excise (P&V),
Central Revenue Building, Queens Rd. Bangalore-1.

Subject:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the
above said application(s) on 22nd Sept '93.

DEPUTY REGISTRAR
JUDICIAL BRANCHES.

DD. P.O. 234/93 6.5

DA 28/93

Date	Office Notes	Orders of Tribunal
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PKS [VC]/VR [MA]

22nd September 1993

Heard Shri M.V.Rao for the applicant. Time to comply with the direction of this Tribunal extended for a further period of 3 months. No further extension.

Sd-

Sd-



MEMBER[A]

VICE-CHAIRMAN

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D. Dece

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

28/9/93

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The diagram shows a top-down view of the experimental setup. A subject is seated at a table, looking at a video screen. A video camera is positioned above the screen. A target is placed on the table. A horizontal arrow indicates the direction of movement from the starting point to the target.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Miscellaneous Application No.509/93 in Dated: 21 JAN 94

APPLICATION NO(s) 98 of 1993.

APPLICANTS: Govinda

RESPONDENTS: Dy. Collector of Central
Excise, Bangalore and Others.

TO.

1. Sri.R.U.Goulay, Advocate,
No.90/1, Second Block,
Thyagarajanagar, Bangalore-28.
2. Sri.M.Vasudeva Rao,
C.G.S.C., High Court Bldg,
Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 22-12-1993.

Se Shamber
for DEPUTY REGISTRAR 21/1/94
JUDICIAL BRANCHES.

gm*

Issued
gm

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

Application No..... O.A.No.98/93.....of 199

ORDER SHEET (contd)

MA No. 509/93

Date	Office Notes	Orders of Tribunal
<div data-bbox="383 1170 726 1549"></div>	<p data-bbox="826 684 1056 723">VR(MA)/ANV(MJ)</p> <p data-bbox="922 739 1085 769">22.12.1993</p> <p data-bbox="826 803 1551 1136">Heard Shri M.V. Rao for the applicants herein. As requested by the department, time is extended for compliance with the directions for a period of two months from today. The department will not disturb the seniority position by effecting promotions, etc. before complying with the directions.</p> <div data-bbox="805 1182 909 1251"><i>Sd-</i></div> <p data-bbox="890 1251 1053 1285">MEMBER (J)</p> <div data-bbox="1316 1182 1428 1251"><i>Sd-</i></div> <p data-bbox="1268 1251 1436 1285">MEMBER (A)</p> <p data-bbox="941 1435 1157 1480">TRUE COPY</p> <div data-bbox="925 1549 1348 1767"><p data-bbox="965 1549 1220 1618"><i>Sc Shauhar</i></p><p data-bbox="973 1618 1340 1676">21/1/94</p><p data-bbox="925 1664 1276 1699">RECEIVED</p><p data-bbox="965 1699 1189 1733">SECRETARY</p><p data-bbox="1005 1733 1141 1756">BANGALORE</p></div>	

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Miscellaneous Application No.133/94 Dated: 9 MAR 1994

in
APPLICATION NO(s) 98 of 1993

APPLICANTS: Govinda

RESPONDENTS: Dy, Collector, Central
Excise(P&V), Bangalore & Others.

TO.

1. Sri.R.U.Goulay, Advocate,
No.90/1, Second Block,
Thyagarajanagar, B'lore-28.
2. Sri.M.Vasudeva Rao,
Central Govt.Stng.Counsel,
High Court Bldg, Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 03-03-1994.

gm*

olc
Issued on 9/3/94

for *S. Shanmugam* 9/3
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

Govinda v/s. Central Excise, Bangalore and other

Date	Office Notes	Orders of Tribunal
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VR (MA) / ANV (MJ)
3.3.94

Heard Shri M.V. Rao for the applicants in MA 133/94. They have filed MA 134/94 for condoning the delay. MA 134/94 is allowed and the delay condoned. Having regard to the fact that the respondents, that is, applicant in MA have partly complied with the directions of the Tribunal, the request for further extension of time for compliance of the further directions is extended till 21.5.94. Accordingly, MA is disposed off.

Sd-

M(J) 3/3/94

Sd-

M(A)



TRUE COPY

Sd- *Se. Shauhar*
SECTION OFFICER
CENTRAL EXCISE AND SERVICE TAX TRIBUNAL
APPEAL BENCH
BANGALORE