

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 674/91

Date of Decision : 18.2.1992

~~Ex.No.~~

Mrs. B. Susheela Devi Petitioner.

Mr. Vilas V. Afzulpurkar Advocate for the
petitioner (s)

Versus

The Collector of Central Excise & Customs
and others Respondent.

Mr. NV Ramana, Addl. CGSC Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR. R. Balasubramanian, Member (Admn.)

THE HON'BLE MR. C. J. Roy, Member (Judl.)

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 Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)


HRBS
M(A)


HCJR
M(J)

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CORAM:

Hon'ble Shri R.Balasubramanian, Member (Admn.)

Hon'ble Shri C.J.Roy, Member (Judl.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

OA 674 of 1991 is filed by Mrs. B.Susheela Devi against the Collector, Central Excise & Customs Department, Hyderabad and 9 others, under Section 19 of the Administrative Tribunals Act, 1985. The prayer in this application is, "for a declaration that the proceedings of the 2nd respondent bearing C.No.II/26/4/91-C.S., dated 6.5.1991 be declared as illegal and for consequential benefits". The facts of the case briefly are that, a Departmental Promotion Committee met on 22.3.1991 for considering candidates including the applicant to the post of Office Superintendent. The findings were however kept in a sealed cover. There was no charge sheet as such on that day. Subsequently, a charge sheet was issued vide Memo C.No.II/10-A/2/91-CIU, dated 25.4.1991.

contd....

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.674 of 1991

DATE OF JUDGMENT: 18th February 1992

BETWEEN:

Smt. B. Susheela Devi

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Applicant

AND

1. The Collector of Central Excise & Customs,
Hyderabad-29.
2. The Additional Collector (P&V),
Central Excise Collectorate,
Hyderabad-29.
3. Mr. M. Srinivasan
4. Mr. A. Satyanarayana.
5. Mr. Ch. Sivaramamurthy
6. Mr. A. Subba Rao
7. Mr. G. Jayendra Rao
8. Mr. G. Appala Raju
9. Mrs. K. Indira
10. Mr. T. Ramesh

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Respondents

COUNSEL FOR THE APPLICANT: Mr. Vilas V. Afzulpurkar

COUNSEL FOR THE RESPONDENTS: Mr. N.V. Ramana, Addl. CGSC

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the respondents;


(a) to open the sealed cover, and

(b) if the applicant is found fit for promotion, to promote her in her turn ^{in consideration of} ~~according to~~ the recommendations of the Departmental Promotion Committee and give all the consequential benefits based on her promotion with effect from the date her junior in the approved panel was promoted. Such promotion if any made ^{may} however be treated as notional and the applicant will not be entitled to arrears till the date she actually assumes her charge.

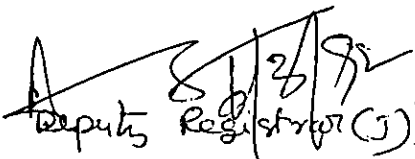
5. This order however does not preclude the respondents from proceeding with the disciplinary case which they had already initiated. The application is thus disposed ^{of.} There is no order as to costs.

(Dictated in the open Court).


(R. BALASUBRAMANIAN)
Member (Admn.)


(C. J. ROY)
Member (Judl.)

Dated: 18th February, 1992.


Deputy Registrar (J)

To

1. The Collector of Central Excise & Customs, Hyderabad-29.
 2. The Additional Collector (P&V) Central Excise Collectorate, Hyd-29.
 3. One copy to Mr. vilas v. Afzulpurkar, Advocate "Akhil" 3-4-434/C.
 4. One (vsn) copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
 5. One spare copy.
- k. one copy to D.R. (J)