

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA.1090/92

date of decision : 9-6-93

Between

1. M. Umakanthaww  
2. Ahmed Hussain  
3. P. Chiranjeevi  
4. P. Janakiramaiah  
5. R.M.L. Kapoor, and  
6. S.V.S.S.R. Krishna Rao : Applicants

and

1. The Union of India, rep. by  
The Secretary, M/o Finance  
Dept'l of Revenue, North Block  
New Delhi  
  
2. The Central Board of Excise & Customs  
rep. by the Secretary  
Govt. of India  
New Delhi

3. The Collector of Central Excise  
Basheerbagh  
Hyderabad : Respondents

Counsel for the applicants : G. Parameshwara Rao  
Advocate

Counsel for the respondents : N.R. Devaraj, Standing  
Counsel for Central Govt.

CORAM :

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. P.T. Thiruvengadam, Member (Admn.))

Heard Sri G. Parameshwara Rao, learned counsel for the applicants and Sri N.R. Devaraj, learned counsel for the respondents.

2. The six applicants in this OA are working as Inspectors of Central Excise. The first four applicants were promoted

35

to the said post prior to 1-3-1986 while the other two were promoted after 1-3-1986. In this OA they prayed for a direction for ~~recasting~~ their seniority in the cadre of inspectors on the basis of the principles laid down by this Tribunal in its judgement dated 5-7-1988 in OA.156/86.

3. The applicants in the OA.156/86 have also been promoted to the post of Inspectors of Central Excise & Customs prior to 1-3-1986 just as in the case of the applicants 1~~6~~4 in this OA. Hence, judgement in OA.156/86 will apply in the case of applicants 1~~6~~4 of this OA. As regards applicants 5 & 6 since they had been promoted after 1-3-1986 there is no dispute about the application of OM No.35014/2/80-Estt(D), dated 7-2-1986 for fixing of seniority. Hence, this OA has also to be disposed of by passing the very order which has been passed in OA.156/86, dated 5-7-1988, which reads as under :

" The applicants are entitled to get their seniority revised in accordance with the principles laid down by the Supreme Court in the decision reported in 1983(1) SLJ 564 and which was accepted by the Government of India, Department of Personnel and Administrative Reforms OM No.35014/2/80-Estt(D), dated 7-2-1986".

4. The OA is disposed of accordingly. No costs.

P. J. Thiru

(P.T. Thiruvengadam)  
Member (Admn)

Hari

(V. Neeladri Rao)  
Vice-Chairman

Dated : June 9, 1993  
Dictated in the Open Court

Deputy Registrar (J)

sk

1. The Secretary, Union of India,  
M/o Financial Dept. of Revenue, North Block, New Delhi.
2. The Secretary, Central Board of Excise & Customs  
New Delhi
3. The Collector of Central Excise, Basheerbagh, Hyderabad.
4. One copy to Mr.G.Parmeswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.
7. One copy to Library, CAT.Hyd.

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CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND  
THE HON'BLE MR. ~~BALASUDRAMANIAN~~ ✓  
MEMBER (ALMN)

AND  
THE HON'BLE MR. T. CHANDRASEKHAR  
REDDY : MEMBER (JUDL)

DATED: 9 - 6 - 1993

ORDER/JUDGMENT

R.P./ C.P/M.A.No.

in

O.A.No.

1090/92

T.A.No.

(W.P.No

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions  
Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

