

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

UT

OA No. 1019/92

Date of judgement: 18-2-93.

Between

Shri S. Padma Rao  
Inspector of Central Excise & Customs  
on deputation to the Directorate of  
Revenue Intelligence, Bombay. : Applicant

And

1. The Collector of Customs &  
Central Excise, Hyderabad.
2. The Deputy Collector (P&E),  
Central Excise Collectorate,  
Hyderabad. : Respondents

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COUNSEL FOR THE APPLICANT : Shri V. Jogayya Sarma

COUNSEL FOR THE RESPONDENTS : Shri N.V. Raghava Reddy

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Hon'ble Justice Shri V. Neeladri Rao, Vice-Chairman.

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

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(Judgement of the Divn. Bench delivered by Shri  
Justice V. Neeladri Rao, Vice-Chairman).

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The applicant herein filed this OA challenging  
the seniority list dated 28-6-91. The facts which  
are not in dispute are that some of the Inspectors  
of Excise in Hyderabad <sup>and</sup> Guntur Collectorates filed  
OA 156/86 challenging the earlier seniority list of  
Inspectors. The same was disposed of by the Bench  
of this Tribunal on 5-7-88 by directing the respon-  
dents for the <sup>to prepare</sup> preparation of a fresh seniority list  
by following the principles adumbrated in the judge-  
ment of the Supreme Court reported in SLJ 1983 (1) 564.

To

1. The Collector of Customs & Central Excise,  
Hyderabad.
2. The Deputy Collector (P&E)  
Central Excise Collectorate, Hyderabad.
3. One copy to Mr.V.Jogayya Sarma, Advocate, CAT.Hyd.
4. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC.CAT.Hyd.
5. One spare copy.

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But it is a case of revising the seniority list of Inspectors numbering about 500, it is stated for the respondents that it will take considerable period for revision and hence in the meanwhile, the ad hoc appointments to the post of Superintendents on the basis of seniority list dated 28-6-91 are required to be made. Keeping in view the various factors, we feel that it is just and proper to pass the following order:

Revised seniority list as per the letter dated 3-11-92 has to be issued by the end of April, 1993. If any ad hoc promotions to the posts of Superintendents are going to be made in the meanwhile, it is needless to say that the same will be subject to the final seniority list that is to be issued. If for any reason, the seniority list is not going to be finalised by the end of April, 1993, there should not be even ad hoc promotions to the posts of Superintendents of Central Excise and Customs within the <sup>after 3-4-83</sup> ~~on the basis of existing Seniority list~~ Collectorates in the A.P. State. The applicant has to be given promotion with effect from the date on which ~~his~~ juniors are promoted either by way of regular promotion or ad hoc promotion with all consequential benefits.

The OA is disposed of accordingly with no costs.

NR

(V. Neeladri Rao)  
Vice-Chairman

R. Balasubramanian

(R. Balasubramanian)  
Member (Admn.)

(Dictated in the open court)

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Dated 18th February, 1993.

Deputy Regd.

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