

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

O.A.No.40/92

Date of the Order 24.1.92

BETWEEN

K.Nirmal Kumar

.. Applicant.

A N D

The Collector of Customs &
Central Excise,
Basheerbagh,
Hyderabad.

2. C.Naganath,
Inspector of Central Excise,
Central Excise Division No.3,
Christian Literature Society
Building, Nampally,
Station Road,
Hyderabad.

3. T.Chakradhar Rao,
Inspector of Central Excise,
Central Excise Division No.5,
Christian Literature Society
Building, Nampally,
Station Road,
Hyderabad.

.. Respondents.

Counsel for the Applicant.. Mr.N.Narsing Rao

Counsel for the Respondents .. Mr.NR.Devraj

CORAM:

HON'BLE Mr.T.CHANDRASEKHAR REDDY : MEMBER (Judl.)

This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act. The grievance is that his seniority is overlooked and that the respondents 2 and 3 who are juniors to him are placed above him in the seniority list that are prepared by the respondents in the year 1990 and 1991. So the present

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application is filed by this applicant to direct the respondents to prepare a fresh seniority list duly taking into consideration the seniority as shown in the seniority list for the year 1989.

2. Before approaching this Tribunal the applicant herein had submitted a representation dated 6.7.1990 to the concerned authorities. The said representation was not decided. So the applicant put in another representation dated 12.8.1991 to the concerned authorities requesting to correct the said seniority list of the year 1990 and 1991 by giving the appropriate place which he was entitled to in the seniority list. According to the applicant the representation dated 12.8.1991 also remains undecided.

3. We are satisfied that the applicant herein had complied with the provisions of Section 20 of the Administrative Tribunals Act before approaching this Tribunal, as the said representations of the applicant remain undecided. As the said representations of the applicant are not decided, of the opinion that it would be Just and proper to dispose this application by giving certain direction to the respondents.

4. In the result the respondents are directed to dispose of the representations dated 6.7.1990 and 12.8.1991 within 2 months from the date of receipt of this order if not already decided. If the applicant continues to remain aggrieved by the decision of the respondents, he would be at liberty to approach this Tribunal afresh in accordance with law.

5. After hearing both sides to protect the interest of the applicant and as an interim measure we direct the respondents to keep one post vacant in the category of the Superintendent of Central Excise until the said

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representations of the applicant are decided. Application is disposed of accordingly at the Admission stage itself with the said directions and interim relief.

5. Furnish a copy of the order to Mr.Narsing Rao, Advocate for the applicant by 27.1.1992.

T. Chandrasekhar Reddy
(T.CHANDRASEKHAR REDDY)
Member (J)

Dated 24 January, 1992.

(Dictated in the Open court)

A 827/11/92
Dy. Registrar(Judl.)

Copy to:-

1. The Collector of Customs & Central Excise, Basheerbagh, Hyd
2. Shri. C.Naganath, Inspector of Central Excise, Central Excise Division No.3, Christian Literature Society Building, Nampally, Station road, Hyd-bad.
3. Shri. T.Chakradhar Rao, Inspector of Central Excise, Central Excise Division No.5, Christian Literature Society Building, Nampally, Station road, Hydbad.
4. One copy to Shri. N.Narsing Rao advocate, C.A.T. Hydbad.
5. One copy to Shri. N.R.Devraj, Addl. CGSC, C.A.T. Hyd-bad.
6. One spare copy.

Rsm/-

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27/1/92