

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

Original Application No. 697/93

Date of Order : 16th July, 1993

BETWEEN :

G. Mahamood

.. Applicant

AND

1. The Secretary to the Government of India, Ministry of Finance, Central Board of Excise and Customs, North Block, New Delhi.
2. The Collector of Central Excise, LB Stadium, Basheerbagh, Hyderabad - 500 001.
3. The Dy. Collector (P&U) Central Excise, Office of the LB Stadium, Basheerbagh, Hyderabad - 500 001.
4. The Asst. Collector of Central Excise, Nizamabad Division, Nizamabad
5. P.Venkat Rao, Inspector of Central Excise, Dichpalli, Nizamabad Dn.

.. Respondents

APPEARANCE :

Counsel for the Applicant : Mr. V.Venkateswara Rao, Advocate

Counsel for the Respondents : Mr. N.V.Ramana, CGSC

CORAM:

The Hon'ble Shri A.B.Gorthi : Member (A)

The Hon'ble Shir T.Chandrashekhar Reddy : Member (J)

JUDGEMENT OF THE DIVISION BENCH DELIVERED BY
HON'BLE SHRI A.B.GORTHI, MEMBER (A)

The applicant seeks direction from the Tribunal

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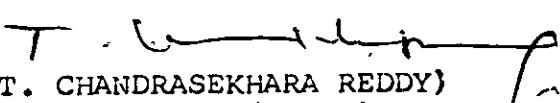
to quash the order dated 31.3.93 issued by respondent No.3 transferring the applicant from Dichpalli of Nizamabad District to Ramchandrapuram, Hyderabad Division. It is seen from paragraph 10 of the application itself that the applicant had earlier filed OA 391/93 questioning this very order of transfer. The said OA was disposed of with a direction to the respondents to allow the applicant to handover the charge on 30.6.93. As against the said order, the respondents filed RP 35/93 in which an interim order was passed by the Tribunal on 5.5.93 modifying the judgement in OA 391/93 to the effect that the applicant ^{was} deemed to have been relieved on 28.4.93 at Dichpally. As the RP filed by the respondents is pending the applicant also filed a review petition (RP SR.No. 1933/93).

Heard Mr. V. Venkateswara Rao, Counsel for the applicant and Mr. N.V. Ramana, Counsel for the Respondents are present and heard. In view of the above it is seen that not only the applicant's earlier OA had been disposed by the Tribunal but also the review petitions filed by both the parties are pending consideration.

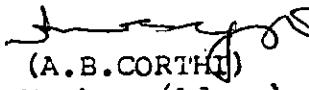
In the above circumstances Mr. V. Venkateswara Rao, learned counsel for the applicant requests for permission to withdraw

this OA as the matter can be sufficiently contested when the RPs come up for consideration.

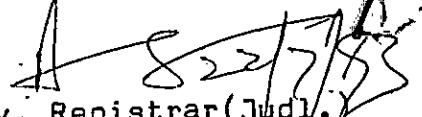
OA is dismissed and withdrawn without any order as to costs.


(T. CHANDRASEKHARA REDDY)

Member (Judl.)


(A.B. CORTHI)

Member (Admn.)


Dictated 1st July 1993. Dy. Registrar (Judl.)

ad.

Copy to:-

1. The Secretary to the Government of India, Ministry of Finance, Central Board of Excise and Customs, North Block, New Delhi.
2. The Collector of Central Excise, LB Stadium, Basheerbagh, Hyderabad-001
3. The Dy. Collector(P&U), Central Excise, Office of the LB Stadium, Basheerbagh, Hyd-001.
4. The Asst. Collector of Central Excise, Nizamabad Division, Nizamabad.
5. One copy to Sri. V. Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
7. One spare copy.
8. *one copy to library*

Rsm/-

*322nd
Part 9/7 29/93*

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C
TYPED BY

CHECKED BY

COMPARED BY
APPROVED BY

O.A. 697/93

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

THE HON'BLE MR. A. B. GORTY : MEMBER (AD)
AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated : 16/7/1993

ORDER/JUDGMENT:

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

O.A. No.

in
697/93

T.A. No.

(w.p.)

Admitted and Interim directions
issued

Allowed

Disposed of with directions

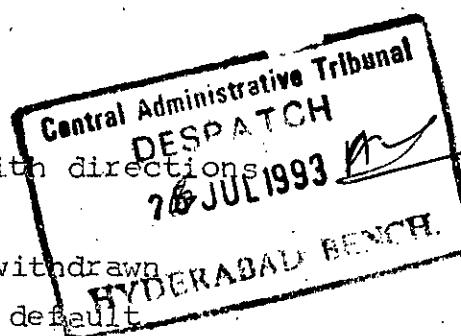
Dismissed

Dismissed as withdrawn

Dismissed for default

Rejected/ Ordered

No order as to costs.



pvm

Q
No initial of H.A.B's name
on order sheet.

Q, 20/93