

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

Original Application No.805/96.

Dt. of Order:16-7-96.

Between :-

Kamal Kumar

... Applicant

And

1. The Union of India rep. by  
Its Secretary, Ministry of Finance,  
North Block, New Delhi.
2. The Principal Commissioner,  
Customs & Central Excise,  
Basheerbagh, Hyderabad.
3. The Asst.Commissioner,  
Customs & Central Excise,  
Basheerbagh, Hyderabad.
4. The Superintendent,  
Central Excise, Division II,  
Katedan Range, Posnett Bhavan,  
Tilak Road, Hyderabad.

... Respondents

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Counsel for the Applicant : Smt. N. Shakti

Counsel for the Respondents : Shri V. Rajeshwar Rao, Addl. CGSC

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CORAM:

THE HON'BLE SHRI H. RAJENDRA PRASAD : MEMBER (A)

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(Orders per Hon'ble Shri H.Rajendra Prasad,  
Member (A) ).

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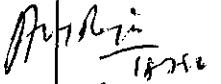
Heard Smt.N.Shakti, counsel for the applicant, and Shri V.Rajeshwar Rao, counsel for the Respondents. Shorn of all details, the grievance of the applicant is that he, ~~has been deprived of his only means of sustenance~~, ~~is~~ a low-paid employee working on Daily Wages, ~~He submits~~ ~~if~~ ~~that/he is deprived of his source of income, he will be put~~ ~~to~~ ~~misery.~~ ~~It was put forth~~ ~~by the Additional~~ ~~certainly~~ Standing Counsel for the Respondents that this is not a matter where a judicial ~~intervention~~ ~~or~~ direction ~~can be~~ ~~be given.~~ Nevertheless, it would be necessary to ~~observe~~ ~~State~~ that the request of the applicant deserves sympathetic consideration. The applicant ~~will~~ therefore submit a representation to the Dy.Commissioner ( P & A ), Office of the Commissioner of Central Excise, within one week from today. The Dy.Commissioner ~~should~~ ~~shall~~ take a suitable decision keeping in view the applicant's difficulties as well as contingencies ~~and needs of~~ ~~of the~~ administration, and pass appropriate orders within one week thereafter.

2. It ~~was~~ also mentioned in course of hearing of the case that the applicant's wife, who was also employed as Daily Wage Labourer, has been removed from ~~service~~ <sup>work</sup> very recently after this O.A. was filed. If this is so, the Dy.Commissioner ~~also~~ ~~to~~ ~~also~~ may consider this aspect ~~also~~ while taking a final decision.

3. Thus the Original Application is disposed of at the admission stage ~~itself~~. No order as to costs.

  
(H. RAJENDRA PRASAD)  
Member (A)

Dated: 16th July, 1996.  
Dictated in Open Court.

  
Deputy Registrar (JR) cc

evl/

O.A.805/96

To

1. The Secretary, Ministry of Finance,  
North Block, Union of India, New Delhi.
2. The Principal Commissioner,  
Customs & Central Excise,  
Basheerbagh, Hyderabad.
3. The Asst. Commissioner,  
Customs and Central Excise, Basheerbagh,  
Hyderabad.
4. The Superintendent,  
Central Excise, Division II  
Katedan Range, Posnett Bhavan,  
Tilak Road, Hyderabad.
5. One copy to Smt. N. Shakti, Advocate, CAT.Hyd.
6. One copy to Mr. V. Rajeshwar Rao, Addl. CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One copy to Member(A) CAT.Hyd.
9. One spare copy.

pvm.

*To be typed*

9/6/96

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE M.G.CHAUDHARI

VICE-CHAIRMAN

AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

Dated: 16-7-1996

ORDER/JUDGMENT

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

in

O.A.No. 595/96 805/96

T.A.No. (W.P. )

Admitted and Interim Directions  
issued.

Allowed.

Disposed of with directions

Dismissed *at the admission stage*

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

*No Specie Copy* *A/c exp by g/m*

केन्द्रीय प्रशासनिक अधिकारण Central Administrative Tribunal DESPATCH
25 JUL 1996
हृदयाद न्यायपीठ HYDERABAD BENCH
मुख्य सचिव OFFICER JUL 1996