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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.859/96

Date of Order: 19.7.96

BETWEEN :

P.Subramaniam

.. Applicant.

AND

1. The Chief Commissioner of Customs
and Central Excise, Govt. of India,
L.B.Stadium Road, Basheerbagh,
Hyderabad.

2. Central Excise, Govt. of India,
Guntur - 522 004.

3. The Chief Commissioner,
Customs and Central Excise,
121, Nungambakam High Road,
Madras - 600 034.

4. The Commissioner of Customs,
Custom House, Govt. of India,
Madras - 600 001.

.. Respondents.

Counsel for the Applicant

.. Mr.P.Naveen Rao

Counsel for the Respondents

.. Mr.V.Rajeswara Rao

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

J U D G E M E N T

{ Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) }

Heard Mr.P.Naveen Rao, learned counsel for the applicant
and Mr.V.Rajeswara Rao, learned standing counsel for the respondent

2. This OA is filed for setting aside the impugned order
No.C.No.II/3/14/96-E.2, dt. 5.6.96 issued by R2 whereby his
request for transfer to Madras Commissionerate was not accepted
by the Commissioner and for a consequential direction to the
respondents to consider his request for inter commissionerate
transfer from Guntur Commissionerate to Customs House, Madras

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as per the provisions contained in the Central Excise and Land Customs Department Group-C posts Recruitment Rules, 1979 and as per the rules issued by Central Board of Exercise and Customs.

3. The learned standing counsel brought to my notice the relevant instruction No.F.No.A.22015/34/80-Ad.III.B, dt. 20.5.80 (A-3) which gives the delegation of powers to the heads of dept. for permitting inter collectorate transfer of Group-C officers. As per para-2 of this circular the ^{power to} transfer from one commissionerat to other commissionerate vests with the heads of the department in this regard. It is seen from the ^{unopposed} order that his request for inter commissionerate transfer was rejected by the Commissioner, Guntur. ^{Hence} the applicant has a further channel to appeal against this order.

4. In view of the above the applicant's counsel submitted that he is now withdrawing this OA and appeal to R1. If the reply from R1 is adverse to him he will approach this Tribunal on that basis thereafter.

5. In view of the above the OA is dismissed as withdrawn subject to the condition as above. No costs.

(R.RANGARAJAN)
Member (Admn.)

Dated: 19th July, 1996

(Dictated in Open Court)

Dr. Registrar (T)

O.A. 859/96.

Copy to:-

1. The Chief Commissioner of Customs and Central Excise, Govt. of India, L.B. Stadium road, Basheerbagh, Hyd.
2. The Commissioner of Customs and Central Excise, Govt. of India, Guntur.
3. The Chief Commissioner, Customs and Central Excise, 121, Nungambakam High Road, Madras.
4. The Commissioner of Customs, Custom House, Govt. India, Madras.
5. One copy to Sri. P. Naveen Rao, advocate, CAT, Hyd
6. One copy to Sri. V. Rajeswar Rao, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

6/8/96 DA-859/96

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED:

19/7/96

ORDER/JUDGEMENT ✓

O.A. NO. / R.A. / C.P. No.

in

O.A. NO.

859/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

No Spare Copy

