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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION No.75/99

DATE OF ORDER : 10-3-2000

Between:-

R.Vasudeva Murthy

...Applicant

And

1. Commissioner-II, Customs & Central Excise, Hyderabad-II Commissionerate, Basheerbagh, Hyderabad.

2. Commissioner-I, Customs & Central Excise, Hyderabad-I Commissionerate, Basheerbagh, Hyderabad.

3. The Dy.Commissioner (P&V), Customs & Central Excise, Hyderabad-II Commissionerate, Basheerbagh, Hyderabad.

...Respondents

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COUNSEL FOR THE APPLICANT : Shri N.R.Devaraj

COUNSEL FOR THE RESPONDENTS: Shri B.N.Sarma, Sr.CGSC

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CORAM:

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).



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...2.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.75/99

dt.21-1-1999

R. Vasudeva Murthy Vs. Commissioner-II Customs & Central
Excise, Hyderabad-II Commissionerate, Basheerbagh, Hyderabad
2. Commr. I, Customs & CE, Hyderabad I Commte., B'bagh, Hyderabad
3. Dy. Commr. (P&V), C&CE, Hyderabad-II Commte. B'bagh, Hyderabad

Counsel for the applicant : N.R. Devaraj, Advocate

Counsel for the respondents : B.N. Sarma, Sr. CGSC

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

Hon. Mr. H. Rajendra Prasad, Member (Admn.)

Order

Oral order (per Hon. Mr. D.H. Nasir, Vice Chairman)

Heard the learned counsel for the applicant as well
as the learned ^{standing} counsel for the respondents at length.

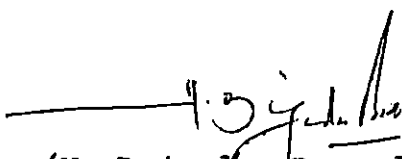
1. By this OA the applicant seeks to restrain the Respondents from enforcing the order of transfer against him. It appears that repeated representations have been made to the authorities concerned for the purpose of postponing the transfer for a period of atleast one year on various grounds as stated in the OA. However, the same have not been disposed of so far.

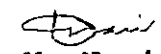
2. We are ^{therefore} of the opinion that the interest of justice will be served if the authority competent to take final decision in the matter considers the representations already made by the applicant seeking temporary stay of operation of the order of transfer. The fact that this OA is pending and that the matter is sub-judice shall not be treated as an impediment to the consideration of the

applicant's representations. The respondents, are therefore, directed, more particularly the officer who is duly competent and authorised to pass an order of transfer, to consider the applicant's representations and to dispose of the same within a period of four weeks from today.

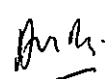
3. If the applicant feels aggrieved by the order which may be passed by the competent authority, the applicant shall be at liberty to prosecute this OA further so as to have it decided on merits.

4. With the above observations the OA for the time being is directed to be kept in abeyance till the order which may be passed by the Competent authority is passed.


(H. Rajendra Prasad)
Member (Admn.)


(D.H. Nasir)
Vice Chairman

Dated : January 21, 99
Dictated in Open Court


1.2.99

sk

Copy to:

1. HON'J ✓
2. HHRP M(A)
3. HSSP M(J)
4. D.R.(A) ✓
5. SPARE ✓

6 copies

OA is still pending
1st and 2nd Court.

Typed By
Compared by

Checked by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE - CHAIRMAN

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

THE HON'BLE R. RANGARAJAN
MEMBER (A)

THE HON'BLE MR. S.S. JAI PARAMESHWAR:
MEMBER (J)

DATED: 21/1/99

ORDER/JUDGMENT

M.A./R.A/C.P.NO.

IN

R.A.NO : 75/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

