

O.A.No.471/93

Dt. of order: 1.8.1994

Central Excise & Customs : Applicants
Ministerial Officer's
Association & Anr.

Vs.

Union of India & Ors. : Respondents

Mr.Amrit Surellia : Counsel for applicants

Mr.S.S.Hasan : Counsel for respondents

CORAM:

Hon'ble Mr.Gopal Krishna, Member(Judl.)

Hon'ble Mr.O.P.Sharma, Member(Adm.)

PER HON'BLE MR.GOPAL KRISHNA, MEMBER(JUDL.).

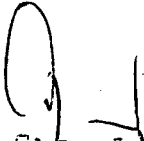
In this application under Sec.19 of the Administrative Tribunals Act, 1985, the applicant Association comprising of the members namely Kundanlal Sharma, Purn Mal Sharma, Sukumaran, K., Ved Bhatnagar, Dinesh Mahandiratta, Morari Mehari Meena, Inderjeet Bhattacharya, Mahendra Singh, Shyam Sunder Jain, Mahesh Dutt Shukla, Vipin Gupta, Sultan Singh Pathore, S.R.Ingale, P.P.Pairwa, Raj Kumar Yadav, Dharmendra Kumar Jawda, Harinarain Kohli, Satveer Singh Arya and Smt.Neelam Seth, have prayed for quashing the impugned order dated 3.8.93 (Annx.A1) and for a direction to the respondents to permit the members of the applicant Association to appear for physical test and interview for the post of Inspector. They have also prayed that 'they be treated for the selection for the post of Inspector'.

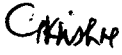
2. We have heard the learned counsel for the parties and have perused the record.

3. The applicants' claim is that they were eligible for being considered for promotion to the post of Inspector Customs & Central Excise. However, vide letter dated 3.8.93 (Annx.A1) they were directed by the Deputy Collector(P&V), Central Excise & Customs Collectorate, Jaipur to abstain from appearing for physical test/interview to be held on 4/5.8.93 at Headquarters Jaipur for promotion to the grade of Inspector. The departmental representative has produced before us a letter dated 19.4.94 issued by the same authority which had issued the circular letter dated 3.8.93 (Annx.A1), which has been taken on record, by which several officials including

the members of the Applicant Association were put to physical test and interviewed for promotion to the grade of Inspector. Since all the Applicant members of the Applicant Association have already been provided with the opportunity of being subjected to physical test and ^{the} viva voce test, the grievance of the Applicant Association now does not survive.

4. The O.A. is dismissed with no order as to costs.


(O.P. Sharma)
Member(A).


(Gopal Krishna)
Member(J).