

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 30.10.2002

OA No.454/2002

Bal Chand Khatik s/o Shri Govardhan Lal Khatik, at present working as Inspector, Customs, Headquarters, Jaipur r/o C-27, Customs Colony, Sector No.7, Vidhyadhar Nagar, Jaipur

.. Applicant

Versus

1. Union of India through the Secretary to the Government, Ministry of Finance, Department of Revenue, New Delhi.
2. The Commissioner, Commissionerate, Customs and Central Excise, Surat-1.
3. The Commissioner (Cadre Control) Customs and Central Excise Commissionerate, Jaipur-1, New Central Revenue Building, C-Scheme, Jaipur

.. Respondents

Mr. Hawa Singh - counsel for the applicant

CORAM:

Hon'ble Mr. H.O.Gupta, Member (Administrative)

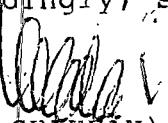
Hon'ble Mr. M.L.Chauhan, Member (Judicial)

O R D E R (ORAL)

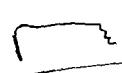
The applicant is aggrieved for not confirming him on the post of Inspector of Central Excise and Customs.

2. We have heard the learned counsel for the applicant.
 - 2.1 He submitted that junior to the applicant has been confirmed and that terms and conditions of

appointment of the junior and that of the applicant were identical and, therefore, confirming his junior in preference to the applicant would be illegal. He further submitted that he has made a representation to the authorities in this regard but the same has not been replied as yet. There is no document attached by the applicant to establish that he is senior to the person, who has been confirmed and also the appointment and confirmation letter of the alleged junior. However, without going into the merits of the case, since his representation has not yet been disposed of, we feel it appropriate to dispose of this OA at the stage of admission with a direction to the applicant to file a fresh representation to the respondent No.3 with copy to the respondent No.2 for information alongwith a copy of this order within 15 days from today and by Speed Post to avoid delay. In that event, the respondent No.3 shall dispose of his representation by a speaking order within four weeks from the date of receipt of his representation. Accordingly, so ordered.


(M.L. CHAUHAN)

Member (Judicial)


(H.O. GUPTA)

Member (Administrative)