

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD.

Dated : This the 31<sup>ST</sup> day of October 2018

Original Application No. 330/00336 of 2018

Hon'ble Mr. Gokul Chandra Pati, Member – A  
Hon'ble Mr. Rakesh Sagar Jain, Member – J

Pawan Kumar Singh, S/o Sri Vijay Shankar Singh, Superintendent (formerly of Central Excise & Service Tax), now C.G.S.T. & Central Excise, Allahabad Commissionerate, and presently posted in the office of the Commissioner (AR), Customs, Excise & Service Tax Appellate Tribunal (CESTAT), 38 M.G. Marg, Civil Lines, Allahabad 211001.

. . .Applicant

By Adv : Ms. Vanashri Dubey

**V E R S U S**

1. Union of India through Revenue Secretary, Ministry of Finance, at New Delhi.
2. Central Board of Excise and Customs through Chairperson, Department of Revenue, Ministry of Finance, Govt. of India, North Block, New Delhi.
3. Chief Commissioner of C.G.S.T. & Central Excise, Lucknow Zone, 7 A Ashok Marg, Lucknow.

. . .Respondents

By Adv: Shri L.P. Tiwari

**O R D E R**

**By Hon'ble Mr. Gokul Chandra Pati, Member – A**

Heard Ms. Vanashri Dubey, learned counsel for the applicant and Shri L.P. Tiwari, learned counsel for the respondents.

2. Learned counsel for the applicant submitted that Supplementary Affidavit dated 23.10.2018 has been filed by her enclosing order dated 10.07.2018 passed by Hon'ble Supreme Court whereby the SLP filed against the order of Hon'ble High Court has been dismissed. She further submitted that since no other litigation is remaining in the matter, earlier order of this Tribunal directing the respondents to open the sealed cover should be implemented.

3. Learned counsel for the respondents requested for some time to obtain instructions from the department.

4. In view of the submissions noted above we feel that no fruitful purpose will be served in keeping this OA pending. Accordingly, the OA is disposed of with direction to the respondents to open the sealed cover in which finding of the DPC on the eligibility of promotion of the applicant has been kept. After opening the sealed cover the respondents are directed to take appropriate follow up action as per rules within a period of 02 months from the date of receipt of certified copy of this order. There will be no order as to costs.

**(Rakesh Sagar Jain)**  
Member - J

**(Gokul Chandra Pati)**  
Member (A)

/pc/