

**Central Administrative Tribunal  
Principal Bench, New Delhi**

OA No.261/2018

MA No.266/2018

New Delhi this the 19<sup>th</sup> day of January, 2018

**Hon'ble Mr. Justice Permod Kohli, Chairman**  
**Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. Umesh Talwar, Superintendent, Group 'B'  
Aged About 41 years,  
S/o Late Sh. K.K. Talwar,  
R/o B-574, Ground Floor, Greenfields Colony,  
Faridabad-121010, Haryana
2. Rajender Singh, Superintendent, Group 'B'  
Aged About 50 years,  
S/o Late Sh. Chhote Lal,  
R/o C-179, South Moti Bagh,  
Nanak Pura, New Delhi-110021
3. Pradeep Kumar, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Late Sh. Moji Lal,  
R/o JB-1/8, Welcome Colony, Delhi-110053
4. Vinod Kumar, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Late Sh. Faqir Chand,  
R/o 14, Bhogal Road, Jangpura,  
New Delhi-110014
5. Kushla Nand, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Sh. Narain Dutt,  
R/o 72, Sec-4, R.K. Puram, New Delhi
6. Rohit Ranchan, Superintendent, Group 'B'  
Aged About 44 years,  
S/o Sh. K.S. Sharma,  
R/o C-5D, 80B, Janakpuri,  
New Delhi-110058
7. Pradeep Kumar Mittal, Superintendent, Group 'B'

Aged About 45 years,  
S/o Sh. Om Prakash Gupta,  
R/o H. No. 88-A, Jwala Heri,  
New Delhi-110068

8. Arun Kumar Pandey, Superintendent, Group 'B'  
Aged About 47 years,  
S/o Sh. Gupt Nath Pandey,  
R/o B-852-A, Palam Vihar, Gurgaon,  
Haryana.
9. Birendra Kumar Gusain, Superintendent,  
Group 'B', Aged About 48 years,  
S/o Late Sh. A.S. Gusain,  
R/o C-81, Parvatiya Anchal, Sant Nagar,  
Burari, Delhi
10. Naveen Kumar Manchanda, Superintendent, Group 'B'  
Aged About 46 years,  
S/o Sh. R.P. Manchanda,  
R/o 13/79A, FF, Vikram Vihar,  
Lajpat Nagar-4, New Delhi-110024
11. Bhupinder, Superintendent, Group 'B'  
Aged About 49 years,  
S/o Sh. Surat Ram,  
R/o A-684, Pkt-I, Paschim Vihar,  
New Delhi-110063
12. Satish Kumar, Superintendent, Group 'B'  
Aged About 51 years,  
S/o Sh. Onkar Singh,  
R/o H. No. 6670, Block No. 9,  
Street No. 7, Dev Nagar, Karol Bagh,  
New Delhi-110005
13. Munish Kumar Sharma, Superintendent,  
Group 'B', Aged About 44 years,  
S/o Sh. S.P. Sharma,  
R/o RZ-71, Santosh Park,  
Uttam Nagar, New Delhi-110059
14. Surender Singh, Superintendent, Group 'B'  
Aged About 47 years,  
S/o Late Sh. Bhagat Singh,  
R/o 1208, Sec-8, R.K. Puram,

## New Delhi-110022

15. Pramod Kumar, Superintendent, Group 'B'  
Aged About 49 years,  
S/o Sh. U.R. Sharma,  
R/o C-2/27A, Keshav Puram,  
Delhi-110035.
16. Sanjeev Saxena, Superintendent, Group 'B'  
Aged About 44 years,  
S/o Sh. Anil Kumar Saxena,  
R/o C-10/23, Yamuna Vihar, Delhi-110053
17. Loveneesh Kashyap, Superintendent, Group 'B'  
Aged About 45years,  
S/o Sh. Ram Chander,  
R/o Flat No. 13, Kaveri Aptt.,  
Sec-4, Vaishali, Ghaziabad, U.P.
18. Vineeta Saxena, Superintendent, Group 'B'  
Aged About 46 years,  
W/o Sh. Manish Saxena,  
R/o CD-44/B, Ground Floor, Hari Nagar,  
New Delhi-110064
19. Rajesh Malhotra, Superintendent, Group 'B'  
Aged About 49 years,  
S/o Sh. Raj Kumar Malhotra,  
R/o DB-51D, Hari Nagar, New Delhi-110064
20. Naveen Kumar, Superintendent, Group 'B'  
Aged About 44 years,  
S/o Sh. Naresh Kumar,  
R/o 108, Vivekanand Puri,  
Sarai Rohilla, Delhi-110007
21. Anil Gupta, Superintendent, Group 'B'  
Aged About 45 years,  
S/o Sh. P.K. Gupta,  
R/o 126, Defence Enclave,  
Delhi-110092.
22. Madhu, Superintendent, Group 'B'  
Aged About 50 years,  
W/o Sh. H.K. Taluja,  
R/o F-1/142, CPWD, Multi Storey Complex,

Dev Nagar, Karol Bagh, New Delhi-110005

23. Manpreet Singh, Superintendent, Group 'B'  
Aged About 50 years,  
S/o Late Sh. S.S. Chand,  
R/o 0-423, Jalvayu Vihar,  
Sec-30, Gurgaon, Haryana
24. Jitendra Madhur, Superintendent, Group 'B'  
Aged About 47 years,  
S/o Sh. R.P. Madhur,  
R/o 342-D, Pocket J&K, Dilshad Garden,  
Delhi-110095.
25. Amarjeet, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Late Sh. Mangal Ram,  
R/o 167, Sec-2, Bahadurgarh,  
Haryana.
26. Pankaj Gaba, Superintendent, Group 'B'  
Aged About 46 years,  
S/o Sh. D.L. Gaba,  
R/o 574/19, Arya Nagar Road,  
Rohtak-124001.
27. Ravinder Singh, Superintendent, Group 'B'  
Aged About 45 years,  
S/o Sh. Angrez Singh,  
R/o H. No. 911, Sec-V, R.K. Puram,  
New Delhi.
28. Dinesh Kumar, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Late Sh. Salek Chand,  
R/o RZ-16A/15L, Gali No. 2,  
Main Sagarpur, New Delhi-110046
29. Virender Singh, Superintendent, Group 'B'  
Aged About 49 years,  
S/o Sh. Shyam Singh,  
R/o B-51/T-2, Dilshad Garden,  
Delhi-110095.
30. Vipin Sethi, Superintendent, Group 'B'  
Aged About 45 years,

S/o Sh. Shiv Chander,  
R/o Qtr. No. 964 (Z-Type),  
Timar Pur, Delhi-110054.

31. Sher Singh, Superintendent, Group 'B'  
Aged About 50 years,  
S/o Sh. Har Chandi,  
R/o PF-224, Ward No. 16,  
Palwal, Haryana.
  32. Hemlata, Superintendent  
Aged About 47 years,  
W/o Sh. Vijay Kishore,  
R/o 20-A, Pkt-I, Mayur Vihar-I,  
Delhi.
  33. Gulshan Bhatia, Superintendent, Group 'B'  
Aged About 48 years,  
S/o Sh. Nand Kishore Bhatia,  
R/o H. No. 163, WZ-130, Vishnu Garden,  
New Delhi-110018.
  34. Nisha Arora, Superintendent, Group 'B'  
Aged About 44 years,  
W/o Sh. Suresh Arora,  
R/o C4C/170, Janak Puri,  
New Delhi-110058.
- ...Applicants

(By Advocate: Shri M.K. Bhardwaj)

Vs.

1. Union of India through its Secretary,  
Ministry of Finance,  
North Block, New Delhi
  2. The Chairman, CBEC, North Block,  
New Delhi
  3. The Chief Commissioner of CGST & Central Excise,  
Delhi zone, CR Building,  
IP Estate, New Delhi.
- ...Respondents

(By Advocates: Shri Ashish Nischal with Shri Rajinder Nischal)

**ORDER (ORAL)****By Justice Permod Kohli, Chairman****MA No.266/2018**

Joining together Application is allowed.

**OA No.261/2018**

Notice.

2. Shri Ashish Nischal, learned counsel appears and accepts notice on behalf of the respondents.

3. The applicants are presently working as Inspectors, Central Excise and Customs in Delhi Zone. They claim to be eligible to be promoted to the post of Superintendent. The grievance of the applicants is that their juniors were promoted w.e.f. 01.04.2015 and 01.04.2016 vide orders dated 01.04.2015 and 01.04.2016 respectively. The applicants are also entitled to be considered when their juniors were promoted by granting them relaxation upto 02 years in eligibility service as prescribed under the Recruitment Rules and vide DOP&T OM No.14017/12/88-Estt. (RR) dated 25.03.1996.

4. The applicants' counsel also relied upon judgment passed in OA No.3405/2014 on 12.05.2016. Learned counsel also referred to a letter dated 01.01.2018, whereby APARs of

last six years have been called for in respect of two candidates, namely, Shri Aseem Kumar and Shri Vinay Rawat for their consideration for promotion to the post of Superintendent w.e.f. 14.10.2014. The applicants also fall for consideration within the same period. The prayer made is accordingly for issuance of direction to the respondents to consider their cases for promotion to the post of Superintendent, Central Excise and Customs alongwith their juniors promoted vide orders dated 01.04.2015 and 01.04.2016.

5. In view of the above, this OA is disposed of at the admission stage without going into the merits of the controversy with a direction to the respondents to examine the case of the applicants in the light of the judgment passed in OA No.3405/2014 and pass appropriate order in accordance with law within a period of two months from the date of receipt of a copy of this order.

**(K.N. Shrivastava)**  
**Member (A)**

**(Justice Permod Kohli)**  
**Chairman**

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