

OA.No.170/00967/2016/CAT/BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00967/2016

DATED THIS THE 18TH DAY OF APRIL, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Shri Chikkannappa, Retd.,
Central Excise Department,
Aged 69 years,
S/o. Doddaiiah,
Opp. Grama Panchayathi Office,
Hirehalli Post, Hirehalli,
Tumkur Taluk

...Applicant

(By Advocate Shri S. Hari)

Vs.

1. The Chief Commissioner of Central Excise
Bangalore Zone, Queens Road,
Bangalore – 560 001.

2. Union of India
Represented by the Secretary,
Central Board of Excise & Customs
Ministry of Finance, North Block,
New Delhi – 110 001.

...Respondents

(By Shri. S. Prakash Shetty, Senior Panel Counsel)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

The applicant submits that this matter is covered by our judgment in OA No. 307/2009 dated 30.03.2012 which went up to the Hon'ble High Court under judicial review and the Hon'ble High Court having upheld the orders of the Tribunal went up to the Hon'ble Apex Court under SLP and the SLP having been dismissed now the order has become concretized. Now apparently for the very same reason and the very same benefits he had filed another OA. Without any doubt, it will not lie as it is hit by *res judicata*.

2. The OA is dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00967/2016

Annexure A01 Copy of order in CP 19/2016 dated 01.06.2016

Annexure A1 Copy of Estt. Order No. 692014 dated 30.05.2014

Annexure A2 Copy of Estt Order No. 80/2015 dated 16.07.2015

Annexure A3 Copy of F.No. 32022/2/2009 AD III A dated 02.03.2009

Annexure A4 Copy of order in O.A. No. 307/2009 dated 30.03.2012

Annexure A5 Copy of order of Hon'ble High Court in Writ Petition No. 38145-46/2012 dated 03.12.2013

Annexure A6 Copy of final order in Review Petition No. 322/2014 dated 12.03.2015

Annexure A7 Copy of No. L-15012/31/2014-Jus-1 dated 09.11.2015

Annexure A8 Copy of Ministry of Finance letter F.No. A 32022/02/2009 AD III A dated 17.11.2015

Annexure A9 Copy of F.No. A.23020/02/2015 AD III dated 09.12.2015

Annexure A10 Copy of Est Order No. 133/2004 dated 28.09.2004

Annexure A11 Copy of order in O.A. No. 20/2009 dated 14.07.2009

Annexure A12 Copy of order of Madras Bench in O.A. No. 1308/2016 dated 12.08.2016

Annexures with Reply Statement

Nil

* * * * *