

**Central Administrative Tribunal
Ernakulam Bench**

CP(C) No.180/00096/2018
in OA/180/00806/2014

Wednesday, this the 9th day of January, 2019.

CORAM

Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

Jagdish, aged 41 years
S/o Manakchand
Superintendent of Central Excise
Headquarters, Calicut Commissionerate
Calicut-673 001.

Petitioner

[Advocate: Mr. C.S.G.Nair]

versus

Pullela Nageswara Rao
Chief Commissioner of Central Excise
Central Revenue Buildings
I.S.Press Road
Cochin-682 018.

Respondent

(Advocate: Mr.N.Anilkumar, SCGSC)

The CP(C) having been heard on 9th January, 2019, this Tribunal on the same day delivered the following order:

O R D E R (oral)

By E.K.Bharat Bhushan, Administrative Member

The affidavit filed on behalf of the respondents has been considered. It has been submitted therein that SLP No.4870 and 4871 of 2018 in *P. Bharathan and others vs. UOI* is pending and that the issue of revision of seniority based on the ratio of the judgment of the Apex Court in N.R.Parmar's case would depend on the final decision of the Apex Court. Facts being so, we see no reason to keep the CP (C) pending. Hence the CP(C) is closed giving liberty to the petitioner to move again in the event the Hon'ble Supreme Court finally decides the issue.

(Ashish Kalia)
Judicial Member
aa.

(E.K.Bharat Bhushan)
Administrative Member

Annexures filed by petitioner:

- Annexure P1: Copy of the order in OA No.806/2014 dated 16.11.2015.
Annexure P2: Copy of the judgment in OP(CAT) No.134/2016 dated 29.8.2016 of High Court of Kerala.
Annexure P3: Copy of the representation dated 21.9.2016 submitted to the 1st respondent.
Annexure P4: Copy of the reminder dated 6.1.2017.