

Central Administrative Tribunal  
Jaipur Bench, Jaipur

O.A. No. 537/2018

Date of decision: 15.04.2019

**Hon'ble Mr. Suresh Kumar Monga, Member (J)**  
**Hon'ble Mr. A. Mukhopadhaya, Member (A)**

Kishan Lal Meena son of Shri Ram Dhan Meena, aged around 34 years, resident of B-54, 55 Mother Teresa Nagar, Gaitor Road, Jaipur -302017.

(Presently working as Inspector as Group-11, Audit Circle Kota, Room No.21, Central Revenue Building, Near CAD Circle, Kota, Hqrs at CGST & Central Excise Audit Commissionerate, Jodhpur). ...Applicant.

(By Advocate: Shri Ashish Kumar for Shri Chandra Shekhar)

Versus

1. The Central Board of Indirect Taxes and Customs, through Chairman, North Block, New Delhi-110001.
2. The Chief Commissioner, CGST & Central Excise, Jaipur Zone, N.C.R. Building, Statue Circle, C-Scheme, Jaipur-302005.
3. Sh. Arvind Kumar Saini, Office of the Superintendent, Central Goods and Service Tax Range – XVIII, Division – E, 43, Gandhi Nagar, Bhilwara Pin 311001.
4. Sh.Naveen Patwa, Group – 2, CGST & Central Excise Audit Circle, Bhilwara, F-227, Azad Nagar, Bhilwara Pin 311001.
5. Sh. Rajesh Kumar Vaishnav, Technical Branch, CGST Division – A, B-142, Hiran Magri, Sector-11, Udaipur-313001.

...Respondents.

(By Advocate: Shri Lalit Mohan Bhardwaj for R-1 and R-2)

ORDER (ORAL)

**Per: Suresh Kumar Monga, Member (J):**

Reply filed on behalf of respondents No.1 and 2 in the court is ordered to be taken on record. Nobody has chosen to appear on behalf of respondents No.3, 4 and 5 despite service.

(2)

2. Shri Ashish Kumar appearing as proxy for Shri Chandra Shekhar, learned counsel for the applicant stated that during pendency of the present Original Application, Superintendent of Central Excise Recruitment Rules, 1986 have been amended vide Notification dated 13.12.2018 issued by the Ministry of Finance and in view of the amended provisions of the Rules, the applicant shall file a representation seeking promotion to the post of Superintendent from the date when his juniors were promoted.

3. If such a representation is filed by the applicant within two weeks from today, the same shall be considered by the respondents and a reasoned and speaking order shall be passed in accordance with law within a period of two months thereafter. A further direction is issued that before taking any decision over the applicant's said representation, he shall also be afforded an opportunity of hearing.

4. The OA is disposed of in the above terms. No order as to costs.

(A.Mukhopadhaya)  
Member (A)

(Suresh Kumar Monga)  
Member (J)

/kdr/