

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**MA/310/00125/2018 in OA/310/00674/2013**

**Dated Monday the 30<sup>th</sup> day of July Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)**

**&**

**HON'BLE MR. P. MADHAVAN, Member (J)**

The Commissioner of Customs(VIII), Commissionerate  
Then Commissionerate of Customs Imports,  
Customs House,  
No. 60, Rajaji Salai, Chennai 600001. ....Applicant/R2

By Advocate Mrs. Hema Murali Krishnan

Vs

S.Kameshwara Rao,  
53/2, First Floor, Kalakshetra Road,  
Thiruvanmiyur, Chennai 600041. ....Respondent/Applicant

By Advocate M/s. K. V. R. Sridharan

### **ORAL ORDER**

**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

Both sides present.

2. Learned counsel for MA applicant submits that the relevant files in the office of the MA applicant had gone missing and as on date, are untraceable. A reference was made to the UPSC based on available records to tender its advice. However, the UPSC has declined to tender its advice. Accordingly, one month's time is sought to trace the records.

3. Learned counsel for OA applicant/MA respondent opposes the prayer stating that the OA applicant retired on 31.07.2011 and the respondents were harassing him even after 7 years of his retirement on the charge of committing some errors in the test reports submitted by him, which even if true, was without any malafide intent. There was absolutely no public purpose to be served by keeping the matter pending even 7 years after retirement, it is submitted.

4. Keeping in view the aforesaid submissions, we are not inclined to grant any further time to the OA respondents to trace out the

missing files. Respondents shall pass orders based on available material within a period of three weeks from the date of receipt of a copy of this order.

5. Accordingly, MA 125/2018 is disposed of.

**(P. Madhavan)**  
**Member(J)**

**(R.Ramanujam)**  
**Member(A)**

**30.07.2018**

SKSI