

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA,**

ORDER SHEET

COURT NO. : 1

03/12/2018

O.A./50/953/2018

M.A./50/493/2018

RAJEEV RANJAN

-V/S-

EXCISE

ITEM NO:3

FOR APPLICANTS(S) Adv. : Shri A.K. Lal

FOR RESPONDENTS(S) Adv.: Shri Arvind Kumar

Notes of The Registry	Order of The Tribunal
	<p style="text-align: center;"><u>ORDER [ORAL]</u></p> <p>The reason stated for condonation of delay has been found satisfactorily explained by the applicant hence accepted. Accordingly, the MA 493/2018 is allowed and the delay is condoned.</p> <p>2. The applicant has contended that he has joined his service as Tax Assistant on 12.11.2010 in Central Excise Department in Aurangabad Commissionerate, Nagpur Zone. In pursuance of order dated 23.10.2015, he joined at Ranchi Zone Patna in Inter Commissionerate Transfer. It is also pleaded that as per order passed by CAT Chandigarh Bench in OA 338/PB/2012 in a similar case, it was held that the service rendered by the applicant in their parent commissionerate and subsequently transferred on the basis of "Inter Commissionerate Transfer", their seniority is required to be considered and assigned as per the service rendered in their parent commissionerate and accordingly direction was issued and the said order was upheld by the Hon'ble High Court and the Hon'ble Supreme Court. On the basis of the said judgment, the applicant has submitted</p>

representation before the competent authority (Annexure A/3). The said representation dated 22.08.2017 has not yet decided. It is also requested by the applicant to the competent authority that his junior were promoted by considering their services rendered in parent commossionorate. Learned counsel for the applicant submitted that the applicant will be satisfied if the appropriate direction may be issued to the respondents for disposal of his pending representation.

3. On the other hand, learned counsel for the respondents submits that if any direction issued by the Tribunal, the same will be abide with regard to pending representation of the applicant.

4. Considering the factual matrix of the case and the submission made by the parties, I am of the considered opinion that it is appropriate to direct the respondent no. 3 to consider the pending representation of the applicant in light of the above stated discussion as also in light of existing rules by passing reasoned and speaking order within a period of sixty days from the date of receipt of a copy of this order.

5. In view of the above, the OA is disposed of.

(JAYESH V BHAIRAVIA)
MEMBER (J)

pkl/