

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION No.210/00572/2019**

**Dated this Wednesday, the 14<sup>th</sup> day of August, 2019**

***CORAM: R.VIJAYKUMAR, MEMBER (A)***  
***RAVINDER KAUR, MEMBER (J)***

Hemant S/o Harishchandra Mandhalkar, Aged 49 years,  
 Occu : Govt. Service Superintendent,  
 Presently working at CGST & Central Excise, Mumbai  
 East Commissionerate.

Resident of D-12/11, Nilgiris Co-op Housing Society Ltd.,  
 Godrej Hill, Barave Road, Kalyan (W),  
 Dist. Thane 421 301.

*Applicant*

*(By Advocate Shri M.V.Acharya)*

**VERSUS**

1. Union of India, Through its Secretary,  
 Ministry of Personnel, Public Grievances and Training,  
 Department of Personnel, Public Grievances and Training (DOPT)  
 North Block, New Delhi 110 001.
2. Principal Chief Commissioner, CGST & C. Ex., Mumbai Zone,  
 4<sup>th</sup> Floor, GST Bhawan, Maharishi Karve Marg,  
 Opp. Church gate Railway Station, Mumbai 400 020.
3. Central Board of Excise and Customs, North Block,  
 New Delhi 100 001 Through its Secretary.
4. The Principal Commissioner, CGST & Central Excise,  
 Thane Rural, 4<sup>th</sup> Floor, GST Bhavan, Plot No.C-24, Sector E,  
 Bandra-Kurla Complex, Bandra (East), Mumbai 400 051.
5. The Commissioner, CGST & Central Excise, Mumbai East,  
 9<sup>th</sup> Floor, Lotus Info Centre, Near Parel Railway Station,  
 Parel (East), Mumbai 400 012.

*- Respondents*

**ORDER (Oral)**

*Per : R.Vijaykumar, Member (A)*

Heard Shri M.V.Acharya, learned counsel for the  
 applicant.

2. The applicant commenced service with the respondents  
 in the year 1995 by producing a certificate that he belonged to

Scheduled Tribe namely Halba which was issued to him on 13.07.1988. Consequent on instructions from the DOPT and their superiors, the respondents have issued a notice to him to get his Caste Certificate verified and upon his reply asking for certain documents relating to the DOPT which are not cited in the impugned charge memorandum issued to him on 23.05.2019, the applicant has rushed to their Tribunal seeking interim orders and relief by way of quashing this memorandum as unsustainable. The memorandum itself is a procedure established to allow the applicant to avail of the provisions of natural justice and reply to the imputations thereof. At this stage, there is nothing for the Tribunal to adjudicate and the OA of the applicant is clearly premature and cannot be considered at the present stage by this Tribunal.

3. In the circumstances, this OA is accordingly dismissed.

No costs.

4. It is made clear that we have not made any observation on the merits of the case or of the legal pleas thereon. /

*(Ravinder Kaur)*  
**Member (Judicial)**

*(R. Vijaykumar)*  
**Member (Administrative)**

*kmg\**

*5/1  
16/8/19*