

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 040/00320/2019

Date of Decision: 01.10.2019

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER

. Shri Utpal Das
 Superintendent
 Son of Late Jitendra Das
 Office of CGST, Guwahati Division – II
 GST Bhawan, Kedar Road, Guwahati
 Pin – 781001.

....Applicant

By Advocate(s): Dr J. L. Sarkar
 Sri G. J. Sharma

-AND-

1. The Union of India
 Represented by the Secretary to the Government of India
 Department of Revenue
 Ministry of Finance, New Delhi – 110001.
2. The Chairman
 Central Board of Indirect Taxes and Customs
 Ministry of Finance
 Department of Revenue
 North Block, New Delhi – 110001.
3. The Chief Commissioner
 Customs, Central Excise and CGST, Guwahati Zone
 GST Bhawan, Kedar Road, Guwahati – 781001.
4. Commissioner
 Goods & Service Tax Commissionerate
 Morellow Compound, M.G. Road, Shillong – 793001.

5. The Assistant Commissioner
Of Chief Commissioners office, CGST and Customs
GST Bhawan, Kedar Road, Guwahati – 781001.

....Respondents

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

This O.A. has been preferred by the applicant under Section 19 of Administrative Tribunal Act, 1985 seeking the following reliefs:

- “8.1 That the Hon’ble Tribunal be pleased to set aside and quash the impugned Establishment Order no. 31/2019 dated 14.08.2019 (Annexure-A1), impugned order No. 34/2019 dated 30.08.2019 (Annexure-A2), impugned letter dated 24.09.2019 (Annexure-A3) and impugned letter dated 26.09.2019 (Annexure-A4) so far the applicant is concerned.
- 8.2. That the Hon’ble tribunal be pleased direct the respondent No. 3 to accommodate the applicant in any post of Superintendent against the existing vacancy at Guwahati in modification of the impugned Establishment Order No. 31/2019 dated 14.08.2019 (Annexure-A1) and impugned order No. 34/2019 dated 30.08.2019 (Annexure-A2).
- 8.3 Any other relief or reliefs as the Hon’ble Tribunal may deem fit and proper, including the cost of the case.”

2. At the outset of the moving of the application, Dr. J. L. Sarkar, learned counsel for the applicant prays for liberty to file a comprehensive representation before the appropriate authority.

3. By accepting the prayer made by the learned counsel for the applicant as well as without going into the merit of the case and without issuing notice to the respondents we direct the applicant to make a comprehensive representation ventilating his grievances before the appropriate authority within a period of 15 days from the date of receipt copy of this order. On receipt of such representation, the respondent authorities shall consider and dispose of the same and pass a reasoned and speaking order within a period of two months thereafter.

4. It is made clear that whatever decision to be arrived by the respondent authorities shall be communicated to the applicant forthwith. Till such time, status quo shall be maintained.

6. With the above direction, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

