

**Central Administrative Tribunal
Principal Bench**

**RA No.150/2019
OA No.1340/2018**

New Delhi, this the 25th day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Union of India,
through its Secretary,
Department of Revenue,
Ministry of Finance,
North Block, New Delhi.
2. The Chairman,
CBEC, Ministry of Finance,
North Block, New Delhi.
3. The Chief Commissioner of Customs,
Custom House, No.600 001.
4. The Commissioner of Customs (CH-VIII)
Custom House, No.60, Rajaji Salai,
Chennai-600 001.
5. The under Secretary (AD-IIA)
CBEC, Department of Revenue,
Ministry of Finance, Govt. of India,
North Block, New Delhi.

... Review Applicant

(By Advocate : Mr. Piyush Gaur)

Vs.

1. Mohit Kumar, Inspector (Examiner), Group 'B'
Aged 27 Years, S/o Sh. Ram Niwas,
R/o H.No. 4684, Block-D,
Near Rajiv Gandhi School, Rajendra Park,
Gurgaon, Haryana
2. Pradeep Raj Nutakki,
Inspector (Examiner), Group 'B'
Aged 30 Years, S/o Sh. Arun Rao,
R/o H.No. 4-11/1, Pallekona (PO),

Bhattiprolu (ND), Guntur (07)
A.P. 522256

3. Anuj Singh, Inspector (Examiner), Group 'B'
Aged 29 Years, S/o Sh. Ramesh Chand,
R/o D-205, Thitra Township,
Pallavram, Chennai.
4. Rahul Sharma,
Inspector (Examiner), Group 'B'
Aged 28 Years, S/o Sh. Sutinder Bhushan,
R/o 11-A, Tribune Bagh, Ambala Cantt.,
Haryana-133001.
5. Vijay Choudhary,
Inspector (Examiner), Group 'B'
Aged 26 Years, S/o Sh. Bijendra Kumar,
R/o VPO Niwal, Teh. Nawalgarh,
Distt. Jhunjhunu, Rajasthan-333305.
6. Manish Kumar Singh,
Inspector (Examiner), Group 'B'
Aged 31 Years,
S/o Sh. Shyam Pal Singh,
R/o A-937/10, Indira Nagar,
Lucknow-226016, U.P.
7. Sanjay Singh Dhami,
Inspector (Examiner), Group 'B'
Aged 30 Years,
S/o Sh. Kishan Singh Dhami,
R/o 43, B1-9, Jain Green Acre,
Pallavaram, Ch.43.
8. Rahul Yadav, Inspector (Examiner), Group 'B'
Aged 28 Years,
S/o Sh. Ramanand Yadav,
R/o VPO – Zainabad, Distt. & Teh. Rewari,
Haryana-123411.
9. Rahul Bansal,
Inspector (Examiner), Group 'B'
Aged 25 Years,
S/o Sh. Tara Chand Bansal,
R/o Bansal Laghu Udyog,
Near Kherapati Market, Govindgarh,
(Alwar) Rajasthan-301604

10. Prem Sagar Akula,
Inspector (Examiner), Group 'B'
Aged 32 Years,
S/o Sh. Ajay Kumar Akula,
R/o FF3, Saffron Heights Zamin Pallavavam
Chennai-600117,
11. Rahul Raghuvanshi,
Inspector (Examiner), Group 'B'
Aged 27 Years,
S/o Sh. Raghuveer Singh Raghuvanshi,
R/o S-1, Plot No. 1178 A,
Park Anna Nagar West Ext. Chennai-600101.
12. Pushpa Phani Pathi,
Inspector (Examiner), Group 'B'
Aged 29 Years,
S/o Sh. Ramesh
R/o 11-64-4 (B), Ghandinagar,
Near MRO Office, Akividu, A.P. 534235.
13. P. Sreekanth Reddy,
Inspector (Examiner), Group 'B'
Aged 29 Years,
S/o Sh. Padnabha Reddy P,
R/o H.No. 505, Chitra Auenue,
Choolaimedu, Chennai-94.
14. K. Sreeniwsulu,
Inspector (Examiner), Group 'B'
Aged 29 Years,
S/o Sh. K. Obaiah,
R/o 4/741, Ramnagar, 7th Main Road,
Madipakkam, Chennai.
15. Harinder Rathee
Inspector (Examiner), Group 'B'
Aged 28 Years,
S/o Sh. Balwant Singh Rathee,
R/o H.No. 385, Ward 15, Palika Colony,
Bahadurgarh-124507

...Respondents

(By Advocate : Mr. M.K. Bhardwaj)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman :

OA No. 1340/2018 was filed claiming the relief of extension of benefit of relaxation of the residency period in the feeder category for the purpose of promotion in favour of direct recruits. The OA was allowed at the admission stage following the order in OA No. 3405/2016 (**Union of India and Ors. Vs. Pankaj Nayan and Ors**).

2. This RA is filed with a prayer to recall the order dated 04.04.2018 passed in OA No. 1340/2018. It is stated that there is a serious dispute about the facts pertaining to the applicants in the OA and unless they are placed before the Tribunal, the correct adjudication cannot take place.

3. We heard Mr. Piyush Gaur, learned counsel for the review applicant and, Mr. M. K. Bhardwaj learned counsel for the respondents in the RA.

4. The applicants in OA No. 1340/2018 are said to be direct recruits Preventive Officers in the Department of Central Excise. Their grievance is that while their juniors have become eligible to be promoted their case was not considered on the ground that they do not have the requisite residency period in the feeder category. That very

question was decided by this Tribunal in OA No. 3405/2016.

5. The present OA was disposed of at the admission stage in terms of OA No. 3405/2016. Though it cannot be said that any inaccuracy has taken place, it would be better that the necessary facts are before the Tribunal for complete adjudication.

6. We, therefore, allow the RA and recall the order dated 04.04.2018. The OA No. 1340/2018 shall be listed for hearing on 13.01.2020.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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