

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004

Order Sheet

Item no.: 30
M.A./824/2021 (TELANGANA)
[DELETION PETITION]
In
O.A./987/2019
PAY SCALES
Court No.: 1

No of Adjournment:

Order Dated: 14/03/2022

CENTRAL EXCISE & CUSTOMS
Vs
R SIVA SHANKARA SASTRY

For Applicant(s) Advocate : K RAJITHA, SR PC FOR CG

For Respondent(s) Advocate : N VIJAY

Order of The Tribunal

Today Application for deletion of Respondents No.1, 2 & 4 is filed. The applicant is asking for a relief under Modified Assured Career Progression Scheme which can be granted by the Competent Authority, Chief Commissioner i.e. Respondent No.3.

2. Learned counsel for the original applicant submits that there is no provision under the CAT Act for deletion or addition of parties. Thus, the application should be dismissed.

3. Heard learned counsel for both parties.

4. We have perused the application. As per Rule 12(6) of C.A.T. (Procedure) Rules 1987, the Court at any point of time can delete or add the parties.

5. In view of this, we exercise our jurisdiction and order for deletion of Respondents No.1, 2 & 4 which are not necessary parties.

Learned counsel has prayed that we may prescribe the proper and necessary party. We found that Head of the Department is the necessary party.

6. In view of this, we observe that Cadre Controlling Authority, Hyderabad i.e Respondent No.3 is the proper and necessary party. In view of this, MA/824/2021 is allowed.

7. List the matter on 12.04.2022.

B V Sudhakar
Member (A)

Ashish Kalia
Member (J)

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