

ITEM NO.1
(Part-Heard)

COURT NO.8

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).19456/2009

(From the judgement and order dated 14/07/2009 in WP No. 1133/2009 of
The HIGH COURT OF BOMBAY)

ALL INDIA CUS.OFFICER ASSOCIATION & ANR. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(With appln(s) for directions and permission to file
additional documents and vacating stay and with prayer for
interim relief and office report)

WITH

SLP(C) NO. 677 of 2010
(With office report)

SLP(C) NO. 32849 of 2009
(With prayer for interim relief and office report)

Date: 25/02/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)

SLP © 19456 Mr. Rajeev Kumar, Adv.
Mr. Ranjan Kumar, Adv.
Mr. Santosh Kumar, Adv.

SLP(C) 677 Mr. C.U. Singh, Sr.Adv.
Mr. Ranjan Kumar, Adv.
Mr. Rajeev Kumar, Adv.
Mr. Santosh Kumar, Adv.

SLP(C) 32849 Mr. R. Venkataramani, Sr. Adv.
Mr. A.K. Joseph, Adv.
Mr. Ranjeev Kumar, Adv.
Mr. Ranjan Kumar, Adv.
Mr. Santosh Kumar, Adv.

For Respondent(s) Mr. P.P. Malhotra, ASG
Mr. V.Shekhar, Sr. Adv.

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Ms. Rekha Pandey, Adv.
Mr. A.K. Shrivastava, Adv. for
Mr. B. Krishna Prasad ,Adv

Mr. P.S. Patwalia, Sr. Adv.
Mr. Mukul Rohtagi, Sr. Adv.
Mr. Jitendra Mohan Sharma, Adv.
Mr. Sandip Malik, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. P.P.Malhotra, learned Additional Solicitor
General appearing on behalf of the respondents on
instructions has very fairly makes the following
representation before this Court:-

"Department had circulated a Draft All
Indian Seniority List of Custom Appraisers up to
30.06.1998 vide its letter dated 28th April, 2005.
If the Department is permitted to finalise the
draft seniority list after hearing the objections
of all the parties and in the light of principles
laid down by the Hon'ble Madras High Court dated
21.04.2006 in para 50 of its Judgment, as
confirmed by Hon'ble Supreme Court of India, the
Department does not press this Circular dated
03.06.2008, which has given rise to the present
litigation.

For the persons appointed as Customs
Appraisers on or after 01.07.1998, the Seniority
List will also be finalized in accordance with the
above principles.

The objections by all parties may be filed
within a period of three weeks to enable the
Department to finalise the Seniority List and it
would not be necessary to issue fresh notices to
all the employees. Objections shall be decided
within eight weeks."

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In view of the above, the special leave petitions are
disposed of accordingly.

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master