

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

&

THE HONOURABLE MRS. JUSTICE M.C.HARI RANI

MONDAY, THE 30TH JUNE 2008 / 9TH ASHADHA 1930

WP(C).No. 15995 of 2008(S)

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OA.611/2006 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH  
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PETITIONERS:

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1. UNION OF INDIA REPRESENTED BY THE  
SECRETARY, DEPARTMENT OF REVENUE, MINISTRY OF  
FINANCE, NORTH BLOCK, NEW DELHI.
2. COMMISSIONER (LOGISTICS), DIRECTORATE OF  
LOGISTICS, IVTH FLOOR, LOK NAYAK BHAVAN,  
KHAN MARKET, NEW DELHI 110 003.
3. THE COMMISSIONER OF CENTRAL EXCISE &  
CUSTOMS, COCHIN COMMISSIONERATE, CENRAL REVENUE  
BUILDING, I.S.PRESS ROAD, ERNAKULAM,  
KOCHI-682 018.
4. THE COMMISSIONER OF CUSTOMS,  
CUSTOMS PREVENTIVE COMMISSIONERATE,  
CENTRAL REVENUE BUILDING, I.S.PRESS ROAD,  
ERNAKULAM, KOCHI-682 018.

BY ADV. SRIP.PARAMESWARAN NAIR,ASST.SOLICITOR

RESPONDENT:

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P.GOPALAKRISHNAN, AGED 59 YEARS,  
S/O.LATE PARAKKAT NARAYANAN NAIR,  
ENGINEER, WORKSHOP MANAGER, CUSTOMS MARINE  
WORKSHOP, CHALIYAM, KOZHIKODE 673301, RESIDING  
AT 'CHIRAG', NADUVATTOM, BEYPORE NORTH P.O.  
KOZHIKODE 673 015.

BY ADV.SRI.M.A.SHAFIK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30/06/2008, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

K.BALAKRISHNAN NAIR &

M.C.HARI RANI, JJ.

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W.P.(C) NO. 15995 OF 2008-S  
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Dated 30<sup>th</sup> June, 2008.

JUDGMENT

Balakrishnan Nair, J.

The petitioners challenge Ext.P4 order of the Central Administrative Tribunal on various grounds, set out in this Writ Petition. But, we notice that the said order was passed by the C.A.T., relying on another decision of the Tribunal in O.A.No.41/2006. That decision was affirmed by this Court in W.P.(C) No.9966/2008. We are of the view that the facts of that case are identical to the facts of this case, though the learned counsel for the petitioners would try to submit that there is some difference. In view of the judgment in W.P.(C) No.9966/2008, this Writ Petition is dismissed.

**K.BALAKRISHNAN NAIR, JUDGE.**

**M.C.HARI RANI, JUDGE.**

Nm/