

(2012) 02 DEL CK 0357

In the Delhi High Court

Case No : Writ Petition (Civil) No. 1206 of 2012

R.K. Jain

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 29-02-2012

Acts Referred:

Citation : (2012) 279 ELT 7

Hon'ble Judges : A.K. Sikri, Acting C.J.;Rajiv Sahai Endlaw, J

Bench : Division Bench

Advocate : Prashant Bhushan and Pranav Sachdeva, for the Appellant; Neeraj Choudhary, CGSC and Victor James, Under Secretary, for the Respondent

Judgement

1. In this writ petition filed by the petitioner in public interest, it is pointed out that the post of President, Customs Excise and Service Tax Appellate Tribunal, New Delhi (CESTAT) is lying vacant for the last six months. It is also pointed out that there is one vacant post of Vice-President of CESTAT and four vacant posts of Members and five posts of Deputy Registrar are lying vacant. In so far as the appointment of President of CESTAT is concerned, learned counsel for the respondent informs that Notification dated 28-2-2012 has already been issued in this behalf appointing Justice Ajit Bharioke (Retd.) as President of CESTAT. He also informs that two posts of Member (Technical) are vacant for which interviews are already fixed for 24th March, 2012. In so far as filling up of the remaining two posts of Members (Judicial) are concerned, the Chairman of the Appointment Committee is a Judge of the Supreme Court and request has already been made to the Hon'ble Judge for fixing a date for interviews. In so far as the post of Vice-President is concerned, there is a proposal to abolish the same.

2. With respect to the appointment of Deputy Registrars, the process is already on and the proposal is being forwarded to UPSC. We expect that UPSC will complete the process and fill the posts of Deputy Registrar within a period of four months from today. After filling the aforesaid posts, status report shall be filed by

the respondents with advance copy to counsel for the petitioner. The writ petition is disposed of with the aforesaid observations.