

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO. 681/2002

Wednesday, this the 13th day of March, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Shri Ram Pal Singh
s/o Shri Budha Ram
Aged about 47 years
R/O 1120, Janta Flats
G.T.B. Enclave, Nand Nagri
Delhi-93
(Working as Inspector under
Commissioner of Income Tax, Delhi-VIII
C.R. Building, New Delhi)
..Applicant
(By Advocate: Shri R.N.Singh)

Versus

1. Chief Commissioner of Income Tax
Central Revenue Building
Indraprastha Estate
New Delhi-2
2. Commissioner of Income Tax, Delhi-IV
Office of Chief Commissioner of Income Tax
Central Revenue Building
Indraprastha Estate
New Delhi-2
3. Central Board of Direct Taxes
North Block
New Delhi-1
(Through: The Chairman)
4. Union of India
Ministry of Finance
Department of Revenue
North Block
New Delhi-1
(Through the Secretary)
..Respondents

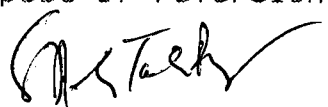
O R D E R (ORAL)


Shri Justice Ashok Agarwal:-

Applicant had been promoted from the post of Senior Tax Assistant to the post of Inspector of Income Tax by an order passed on 27.11.2001 (page 71). Aforesaid promotion was passed after his having been found eligible for promotion by an order passed on 28.11.2000 (page-50) and after he was considered by a

duly constituted DPC. On being promoted, he has been placed in the pay scale of Inspector of Income Tax by an order passed on 7.1.2002 (page-74). However, by an order passed on 1.2.2002 (page-17), aforesaid promotion order has been rescinded and he ^{has been} ~~sought to be~~ reverted back to the post of Senior Tax Assistant. Aforesaid order of 1.2.2002 is impugned by the applicant by instituting the present OA. Aforesaid impugned order assigns no reasons for rescinding the order of promotion and reverting him back. The same has been passed without putting the applicant to notice and without offering him an opportunity of being heard. Aforesaid order, we find, which has civil consequences against the applicant, has been issued in flagrant ^{disregard to} ~~to the~~ principles of natural justice. The same, in our view, is liable to be quashed and set aside at this stage itself even without issue of notices. We order accordingly. Aforesaid order of 1.2.2002 is quashed and set aside.

2. Present OA is allowed in the aforesaid terms. It goes without saying that it will be open to the respondents, if so advised, to put the applicant to notice giving him an opportunity of being heard and thereafter pass a reasoned and a speaking order in respect of reversion of the applicant.


(S.A.T. Rizvi)
Member (A)


(Ashok Agarwal)
Chairman

/sunil/