

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

REVIEW APPLICATION NO. 170/00071/2019

IN

ORIGINAL APPLICATION No.170/01779/2018

DATED THIS THE 6TH DAY OF FEBRUARY 2020

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV. SANKAR, MEMBER (A)

Sri.Nagaraj V.
S/o late M.Venkataramana
Aged about 47 years
Working as Income Tax Officer
ITAT-2, Income Tax Department
Bangalore. R/at No.97,
Banjar Orchid Horamavu
Bangalore-560 043.

.... Review Applicant

(By M/s B.B.Bajentri Associates..... Advocate)

Vs.

1.The Union of India
Represented by its Central
Board of Direct Taxes,
Jeevan Deep Building
Parliament Street
New Delhi-110 001.

2.The Principal Chief Commissioner
of Income Tax,
Karnataka-Goa Region
CR Building, Queens Road
Bangalore-560 001.

3.The Commissioner of
Income Tax Bangalore-560 002
CR Building, 1st Floor,

Queens Road
Bangalore-560 001.

4.The Principal Commissioner
of Income Tax and Disciplinary Authority
Shri Towers, No.565/A,
A1 Hadadi Main Road
Davangere-577 002.Review Respondents

(By Sri Vishnu Bhat... Sr. Panel Counsel)

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. Heard. We quote from Paragraph 14 of our order:-

"14. From the records of this particular case and the details of the proceedings, it is amply clear that the respondents had given considerable opportunity to the applicant to defend himself and have passed a very reasoned and comprehensive order by taking severe note of the fact that persons in high positions like the applicant should not misuse their position for their personal benefit against the interest of the department for which they are working and should also function in a manner to maintain the reputation of the organisation which they are serving. The applicant has clearly not conducted himself up to that standard and therefore, the order passed by the respondents cannot be assailed. At this point we should also note that the applicant has not chosen to challenge the order of the disciplinary authority to any appellate authority as is available to him. On all the above grounds, the OA stands dismissed. No costs. "

2. In fact, based on Hon'ble Apex Court orders, we had passed a detailed order. But, the RA does not seem to cover any of the points

issued. We need not examine the corroborative evidence as claimed, in relation to the chartered accounts nor whether Shri Nagaraj was caught red handed by the CBI while accepting bribe of Rs.5 lakhs.

3. At this point of time we cannot even examine whether the applicant was given sufficient time to submit his written brief, as applicant had already given his written brief through. Therefore, we do not think that sufficient ground exists to interfere once again as we have already clearly explained the matters involved in the light of the Apex Court judgements in the said order. No grounds. RA is dismissed. No order as to costs.

(CV. SANKAR)
MEMBER (A)

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(DR. K.B. SURESH)
MEMBER (J)

Annexures referred to by the applicants in RA.No.71 /2019

Annexure RA-1:Copy of order dated 21.6.2019 in OA.1779/2018