

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH;HYDERABAD.**

O.A.No.020/00557/2014

HYDERABAD, THIS THE 21st DAY OF JANUARY, 2020.

Hon'ble Mr.Ashish Kalia, Member (Judl.)

Hon'ble Mr. B.V. Sudhakar,Member (Admn.)

1. G.Maruti Prasad, S/o.G.V.L.Narasimham,
Aged 40 years, Occ: Office Superintendent,
O/o. Addl. Cit, Range – 1, Hyderabad.
R/o.Plot No.13, Vamsi Krishna Co-Op. Housing Society,
Manovikas Nagar, Hasmath Pet, Secunderabad – 500 009.
2. Satya Priya Raghunandan, D/o.late K.L.Narasimha Murthy,
Aged 40 years, Occ: Office Superintendent,
O/o. Addl. Cit, Range – 16, Hyderabad.
R/o.4-9-77/16, Street No.4A, HMT Nagar,
Nacharam, Secunderabad – 500 076.
3. Raja Sekhar Gottimukkala,S/o.late G.Pramegha,
Aged 44 years, Occ: Office Superintendent,
O/o. Ccit(Cca), Hyderabad.
R/o.H.No.14-129, Mirzalguda, Malkajigiri, Hyderabad – 500 047.
4. K.Sesha Kumar, S/oSri K O Kanaka Raju,
Aged 48 years, Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 1, Hyderabad 500 035.
R/o.SRT 304, Sanathnagar, Hyderabad – 500 0935.
5. R.Balaji, S/o.late R.A.P.Rao, Aged 46 years,
Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 16, Hyderabad.
R/o.2-1-195/1b, Nallakunta,
Hyderabad 500 086.
6. T.Eswara Bangar Reddy, S/o.T.S.N.Reddy,
Aged 47 years, Occ: Senior Tax Assistant,
O/o. Addl. Cit, (Central Range) 1, Hyderabad.
R/o.Flat No.403, Laurel Residency,
Plot No.51, Radha Nagar, Bandlaguda Jagir Village,
Donbosco Nagar Post, Hyderabad 500 086.
7. A.Govindu, S/o.late A.Bhoomaiah, Aged 47 years,
Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 6, Hyderabad.
R/o.3-3-107/4, Sri Venkateswara Enclave II,
Hyderguda, Attapur, Hyderabad 500 048.
8. Ramadevi Bellamkonda, D/o.B.Harinath Babu,
Aged 45 years, Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 11, Hyderabad.
R/o.C-47, Income Tax Quarters, Road No.12,
Banjara Hills, Hyderabad 500 086.



9. K.Venugopal, S/o.late K.Basavaiah,
Aged: 54 years, Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 11, Hyderabad.
R/o.209, Pushpa Apts. Saidabad Colony,
Hyderabad 500 069.
- 10.K.Lavanya, D/o. K.M.Raghavachari, Aged 43 years,
Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 4, Hyderabad.
R/o.C-13, Income Tax Quarters, Road No.12,
Banjara Hills, Hyderabad.
- 11.Kiran Kumar A S/o.late A.Prabhakar Rao, Aged 36 years,
Occ: Senior Tax Assistant,
O/o. Ccit (Cca),Hyderabad.
R/o.H.No.1-1-242/27/1, Road No.3, Balajinagar Colony,
Mohan Nagar, Kothapet, Hyderabad.
- 12.GVA Sekhar, S/o.G.Atchaiah, Aged 49 years,
Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 14, Hyderabad.
R/o.C-105, Income Tax Quarters, Road No.12, Banjara Hills,
Hyderabad.
- 13.M.Raghuram Babu, S/o.late M.Bhaskara Rao,
Aged 40 years, Occ: Senior Tax Assistant,
O/o. Addl. Cit, Range – 6, Hyderabad.
R/o.Plot No.8, Bhagyalakshmi Colony,
Kavadigua, Hyderabad 500 003.

Applicants.

(By advocate:Mr.K.Lakshmi Narasimha)

Vs.

1. Director of Income Tax,
HRD, Central Board of Direct Taxes,
Government of India, Ministry of Finance,
Directorate of Income Tax (Human Resource Development)
CADR Building, Plot No.6, Vasant Kunj,
Institutional Area Phase II,
New Delhi.110 070.
2. Government of India, Ministry of Finance,
Department of Revenue, Central Board of Direct Taxes,
New Delhi rep. by its Joint Secretary to Govt. of India.
3. Chairman, Central Board of Direct Taxes,
Govt of India, Ministry of Finance, North Block,
New Delhi.110 070.
4. Chief Commissioner of Income Tax, Cadre Controlling
Authority
(CCA),Andhra Pradesh, Hyderabad.

Respondents.

(By advocate:Mrs.K.Rajitha, Sr.C.G.Standing Counsel)



ORAL ORDER

PER HON'BLE Mr. **ASHISH KALIA, MEMBER (J)**

This Original Application was filed under section 19 of the Administrative Tribunals Act, 1985 praying for the following relief(s):



“ (i) To declare the action of the 4th respondent in calling for DPC on 2 Jun 14 or thereafter for filling up the posts of Income Tax Inspectors, without filling up the posts of Executive Assistants, is illegal, arbitrary and contrary to law and also contrary to the orders passed by the 2nd respondent dated 31.5.13 and also contrary to the orders passed by the 1st Respondent dated 27.5.14 and consequently,

(ii) Direct the 4th Respondent not to fill up the posts of Income Tax Inspectors without first filling up the posts of Executive Assistants and consequently/alternatively;

(iii) call for record pertaining to the impugned proceedings No.F.No.HRD/CM/102/10/2014-15/1510 dated 27.5.14, passed by 1st Respondent and consequently and quash the same in so far as it pertains to the posts of Executive Assistants and Income Tax Inspectors are concerned as illegal, arbitrary, wholly without power or jurisdiction and unconstitutional, and consequently,

(iv) direct the Respondents to make promotions to the posts of Executive Assistants and Income Tax Inspectors strictly in terms of order issued by the 2nd Respondent vide F.No. A.11013/1/2013-Ad.VII dated 31 May 13, and consequently;

(v) direct the Respondents to consider and promote the applicants as Executive Assistants and Income Tax Inspectors with all consequential benefits like seniority, arrears of pay etc.””

2. We heard learned counsel on both sides.
3. It is informed to us that applicants have already been promoted.
4. In view of the above, nothing survives in this O.A.
5. OA is accordingly dismissed as infructuous. However, we observe that if any of the applicants has not been promoted, he can re-approach this Tribunal.
6. All the M.As are accordingly disposed of.
7. There shall be no order as to costs.



(B V SUDHAKAR)
MEMBER (A)

(ASHISH KALIA)
MEMBER (J)

vsn