

Central Administrative Tribunal
Principal Bench

MPA 1844/2001
OA No. 2208/2001

New Delhi, this the 8th day of August, 2002

Hon'ble Shri S.A.T. Rizvi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

1. Shri Anil Nair
S/o Shri V.N. Nair
R/o 608, Sharda Apartment
Vaishali
Ghaziabad (U.P)
2. Rakesh Kumar
S/o Shri Lala Ram
R/o 21/623, DDA Flats
Dr. Ambedkar Nagar
New Delhi.
3. Vivekanand
S/o Late Shri Maiku Lal
R/o 107, Ghaghra Apartment
Vaishali
Ghaziabad (U.P)
4. Sanjeev Kumar
S/o Shri Manohar Lal
R/o AG-269, Shalimar Bagh
New Delhi.
5. Raju Saini
S/o Shri Balbir Singh Saini
R/o 86, Bhorgarh, Narela
New Delh.
6. Inderjeet
S/o Shri Rajesh Kumar
R/o RZ-693/1, Raj Nagar-I
Old Mehrauli Road
Palam Colony
New Delhi
7. Sanjeev Rastogi
S/o Kalika Prasad Rastogi
R/o 205, Ghaghra Apartments
Vaishali
Ghaziabad (U.P)
8. Ajay Tiwari
S/o Shri Vishram Shankar Tiwari
R/o WS-12, Bhagat Singh Gali
Babarpur, Shahdra
Delhi.
9. Ved Prakash
S/o Shri Satya Pal
R/o 505, Saraswati Apartment
Vaishali
Ghaziabad (U.P)



10. Ramesh Dutt Sharma
S/o Shri H.M.Sharma
R/o A-200, Shiv Durga Vihar
Near Eros Garden
Faridabad.
11. Devesh Mishra
S/o Shri Madan Mohan Mishra
R/o 435, Income Tax Colony
Pitam Pura
New Delhi.
12. Darshan Singh
S/o Shri Surjeet Singh
R/o 429, Income Tax Colony
Pitam Pura
New Delhi.

--- Applicants

(Shri Deepak Chopra proxy for
Shri Rakesh Kumar, Advocate)

Versus

1. Union of India through Secretary
Ministry of Finance
Department of Revenue
North Block
New Delhi.
2. The Chairman
Central Board of Direct Taxes
North Block
New Delhi.
3. The Chief Commissioner of Income Tax
C.R.Building
I.P.Estate
New Delhi.

----- Respondents

(Shri Inderjit Singh proxy for
Shri Rajinder Nischal, Advocate)

ORDER (Oral)

By Shri S.A.T.Rizvi, Member (A)

The applicants, who are group 'A' DEOs, are aggrieved by the circular letter issued by the respondents on 4.6.2002 (Annexure A.1) and 19.7.2001 (Annexure A.2) for filling up of posts in Groups 'B', 'C' and 'D' consequent to the restructuring plan approved by the Union Cabinet. It would appear that as a result of restructuring carried out by the

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respondents, certain benefits are likely to accrue to the DEOs included in Groups 'B', 'C' and 'D'. The scheme seems to be to merge the aforesaid cadre into the cadres of Tax Assistants and Senior Tax Assistants. While issuing the aforesaid instructions and during the course of restructuring, the respondents have not taken care of the future of the Group 'A' DEOs who have been left in the cold. That precisely is the grievance raised in the present OA.

2. The learned counsel appearing on behalf of the respondents submits that the applicants have only recently filed a detailed representation in the matter on 13.2.2002 which has been forwarded to the Chief Commissioner of Income Tax on 25.2.2002. He submits that the aforesaid matter is receiving attention in the Ministry and a final decision in the matter is likely to be taken expeditiously.

3. Having regard to the submissions made by the learned counsel and the aforesaid facts and circumstances, we find that it will be in order to dispose of the present OA by directing the respondents to consider the aforesaid representation along with contents of the present OA and to pass a reasoned and a speaking order thereon as expeditiously as possible and in any event within a period of three months from the date of receipt of a copy of this order.

4. Accordingly the OA is disposed of. No costs.

S. Raju

(Shanker Raju)
Member (J)

S. A. T. Rizvi

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

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