

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.590/2001

Thursday, this the 29th day of March, 2001

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

Dr. J.K. Goyal
S/O Shri M.L.Goyal
Commissioner of Income Tax
Bhubneshwar.

...Applicant

(By Advocate: Shri P.P.Khurana)

VERSUS

1. Union of India
through the Secretary
Dept. of Revenue,
Ministry of Finance
North Block,
New Delhi.

2. Central Board of Direct Taxes
through Chairperson
Dept. of Revenue
Ministry of Finance
North Block,
New Delhi.

..Respondents

(By Advocate: Shri V.P.Uppal)

O R D E R (ORAL)

By Hon'ble Shri Justice Ashok Agarwal:-

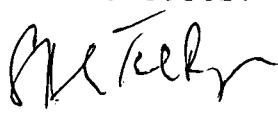
Prayer made on behalf of the respondents for adjournment is rejected.

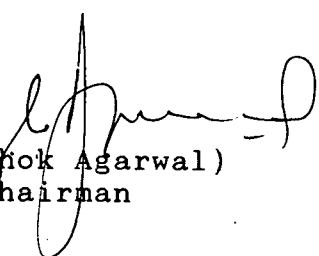
2. Applicant who is a Commissioner of Income Tax is an aspirant for promotion to the post of Chief Commissioner of Income Tax. A DPC has accordingly been held on 5.2.2001. However, applicant's case has been placed in a sealed cover in view of disciplinary proceedings pending against him.

3. As far as these proceedings are concerned, the same were initiated by issue of a charge memo of

16.7.1991. Enquiry Officer has submitted his report way-back on 17.5.1995 whereby applicant has merely been held marginally guilty. He has been ~~absorbed~~ ^{lived} of charge Nos. I, II, III & IV but has been held marginally guilty of article of charge No.V. Aforesaid findings of the enquiry officer were belatedly served on 17.9.1996, applicant has submitted his representation against the same on 22.10.1996. Applicant has thereafter sent reminder on 16.4.1999 at Annexure A-9, no final orders have been passed by the disciplinary authority, despite a period of about four and half years have ~~been~~ elapsed from the date of applicant's representation of 22.10.1996. In the circumstances, we find that interest of justice would be adequately met by disposing of the present OA with a direction to the disciplinary authority to pass final orders in the disciplinary proceedings expeditiously and within a period of two months from the date of service of this order.

4. Present OA is disposed of in the aforesated terms. No costs.


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


(Ashok Agarwal)
Chairman

/sunil/