

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

DA No. 2550/99

New Delhi: this the 20th day of October, 2000.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Behari Lal,

S/o Shri S. R. Chander,

R/o Flat No. 18,
Sector 3, Type IV, Sadiq Nagar,
New Delhi

.... Applicant.

(By Advocate: Shri P. P. Khurana with Sr.
Counsel Ms. Mamta Shah)

Versus

1. Union of India,
through

The Secretary,
Ministry of Finance,
Central Secretariat,
North Block
New Delhi.

2. Central Board of Direct Taxes,
through the Chairman,
CBDT North Block,
New Delhi.

3. Chief Commissioner of Income Tax,
Central Revenue Building,
I.P. Estate,
New Delhi.

.... Respondents

(By Advocate: Shri V. P. Uppal).

ORDER

Mr. S. R. Adige, VC (A):

Applicant impugns respondents' order dated 18.6.98 (Annexure-A1). He prays that the same be quashed and set aside with all consequential benefits, including arrears of pay and promotion with effect from the date his immediate junior was so promoted.

2. Heard both sides.

3. Applicant has not denied in his rejoinder dated 15.2.2000, the specific averments of respondents contained in their reply filed on 6.1.2000 that

(1)

applicant has submitted an appeal against the impugned order dated 18.6.98 on 18.8.98 (copy at page 270-274 of OA), which is still pending (having been referred to UPSC, whose advice is awaited).

4. As applicant's appeal against the impugned order dated 18.6.98 is still pending, we dispose of this OA with a direction to respondents to take appropriate steps to obtain UPSC's advice, if not obtained by now, and dispose of applicant's appeal in accordance with rules and instructions within 2 months from the date of receipt of a copy of this order, under intimation to applicant.

5. Thereafter if any grievance still survives, it will be open to applicant to agitate the same in accordance with law, if so advised.

6. The OA is disposed of in terms of paras 4 and 5 above. No costs.

A. Vedavalli

(DR. A. VEDAVALLI)
MEMBER (J)

S. R. Adige

(S. R. ADIGE)
VICE CHAIRMAN (A)

/ug/