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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No. 388/99

New Delhi: this the 7 day of May, 1999

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

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Shri J.L. Mantani,  
S/o Late Shri M.R. Mantani,  
R/o qtr. No. 43, Sector-2,  
Sadiq Nagar,  
New Delhi-42.

2. Mrs. Kamlesh Kumar,  
W/o Sh. Vijay Pratap Singh,  
R/o 19-D, Block -K, Saket,  
New Delhi-17.

3. Shri Surinder Pal Sood,  
R/o KP-230, Pitampura,  
Delhi-34.

All are employed as Inspectors of Income  
Tax under the charge of Chief Commissioner  
of Income Tax, CR Building, I.P. Estate,  
New Delhi.  
..... Applicants.

(By Advocate Shri D. R. Gupta).

Versus

1. Union of India through  
Secretary,  
Ministry of Finance, (Deptt. of Revenue),  
North Block,  
New Delhi.

2. Chairman,  
Central Board of Direct Taxes,  
New Delhi.

3. Chief Commissioner of Income-tax,  
C. R. Building, I.P. Estate,  
New Delhi-1100 02

..... Respondents.

(By Advocate: Shri R. S. Agarwal)

ORDER

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

Applicants seek a direction to respondents  
to convene a review DPC for considering their claim  
for promotion to the post of ITO (Group 'B) based  
on the seniority list dated 8.2.99 (Annexure-A I)  
with effect from the date their immediate juniors

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were promoted with consequential benefits. 6

2. <sup>para 1 & 2</sup> Respondents in their reply to the O.A. have stated that they are unable to operate the seniority list dated 8.2.99 in view of the interim orders dated 18.2.99 passed by the Tribunal in OA No.387/99 filed by Shri H.P.S. Kharab & others challenging the aforesaid seniority list dated 8.2.99, whereby respondents have been given permission to go ahead with the CPC for promotion to the cadre of ITD (Group 'B') but have been restrained from declaring the results of CPC till the next date of hearing.

3. We have heard both sides.

4. By our subsequent orders dated 4.5.99 in OA No.387/99 the aforesaid interim orders dated 18.2.99 have been modified such that respondents may go ahead with convening the CPC, but any promotions made on the basis of the aforesaid seniority list dated 8.2.99 shall be subject to the outcome of OA No.387/99, and that fact has been directed to be clearly mentioned in any promotion orders respondents purpose to issue.

5. In view of the above, this OA is disposed of in terms of the undertaking given by respondents in para 1 of their reply. No costs.

*Lakshmi Swaminathan*  
( MRS. LAKSHMI SWAMINATHAN )  
MEMBER(J)

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

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