

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No. 388/99

New Delhi: this the 7th day of May, 1999.

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

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

1. Shri J.L. Mamtani,
S/o Late Shri M.R. Mamtani,
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, C.R. Building, I.P. Estate,
New Delhi. Applicants.

(By Advocate Shri D. R. Gupta).

Versus

1. Union of India through
Secretary,
Ministry of Finance, (Dept. 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 M.R.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

were promoted with consequential benefits. (6)

2. 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 O.A 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 OPC for promotion to the cadre of ITU (Group 'B') but have been restrained from declaring the results of OPC till the next date of hearing.

3. We have heard both sides.

4. By our subsequent orders dated 4.5.99 in O.A No.387/99 the aforesaid interim orders dated 18.2.99 have been modified such that respondents may go ahead with convening the OPC, but any promotions made on the basis of the aforesaid seniority list dated 8.2.99 shall be subject to the outcome of O.A 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 O.A is disposed of in terms of the undertaking given by respondents in para 1 of their reply. No costs.

Lakshmi Swamithai
(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

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

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