

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA. No. 1153 of 1998

(8)

New Delhi, this 24th day of August, 1998

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER(J)
HON'BLE SHRI K. MUTHUKUMAR, MEMBER(A)

Behari Lal
Income Tax Officer
Govt. Salary Ward 8C 1
Mayur Bhawan
NEW DELHI

... Applicant

By Advocate : Shri P. P. Khurana

versus

1. Union of India,
through Secretary
Ministry of Finance
Central Secretariat
North Block
NEW DELHI.
2. Central Board of Direct Taxes
through Chairman
CBDT, North Block
3. Chief Commissioner of Income Tax
Central Revenue Building
I.P. Estate
NEW DELHI.

... Respondents

By Advocate: Shri V. P. Uppal

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, M(J)

We have heard both the learned counsel for the parties and perused the records.

2. In this application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for quashing of the impugned order dated 19.2.98.

3. In the reply filed by the respondents on 12.7.98, the respondents have referred to an order dated 18.6.98 imposing penalty on the applicant as

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detailed therein. Shri P.P. Khurana, learned counsel
has submitted that the order dated 18.6.98 is not as a
consequence of the impugned order dated 19.2.98.

Thereafter in the supplementary counter affidavit
filed by the respondents dated 22.7.98, we note that
the respondents have filed another order dated 22.7.98
canceling the impugned order dated 19.2.98.

4. In the above facts and circumstances of the
case, we are satisfied that nothing survives in this
OA as the main impugned order challenged in the
application i.e., order dated 19.2.98, has been
cancelled by the respondents themselves by their order
dated 22.7.98.

5. In the result, the O.A. is disposed of as
infructuous. No costs.


(K. Muthukumar)

Member (A)


(Smt. Lakshmi Swaminathan)

Member (J)