

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA.No.1153 of 1998

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


18.

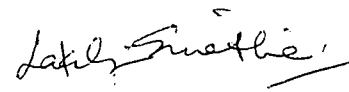
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detailed therein. Shri P.P. Khurana, learned counsel <sup>passed B.</sup> has submitted that the order dated 18.6.98 is not as a consequence of the impugned order dated 19.2.98. Thereafter in the supplementary counter affidavit filed by the respondents dated 22.7.98, we note that the respondents have filed another order dated 22.7.98 cancelling 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)

abc