

Central Administrative Tribunal  
Principal Bench: New Delhi

(2)

OA No. 611/97

New Delhi, this the 18th day of March, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri S.P. Biswas, Member (A)

1. Sh. K.K.Singh,
2. Sh. Ronmoy Dass
3. Sh.R.K.Paliwal
4. Sh. Ajit Kumar Sinha
5. Ku R.Bhawa
6. Sh.Pawan Singh Tomar
7. Smt. Chhavi Arupam
8. Smt. Smita Jhingran
9. Sh. Devashish Roy Chaudhary -
10. Smt. Saroj Deswal
11. Sh. Vimal Saha ...Applicants  
all c/o R/13/1, Raj Nagar,  
Ghaziabad (UP)

(Through Narinder Kaushik, Advocate )  
and Sh. Raj Birbal, Sr. Advocate with  
Sh.M.M.Sudan & Sh. J.K.Bhola,Advocates  
for applicants in MA 725/97).

Versus

1. Union of India through  
Secretary,  
Ministry of Finance,  
North Block, New Delhi.
2. Chairman,  
Central Board of Direct Taxes,  
North Block, New Delhi.
3. Chairman,  
Union Public Service Commission,  
Shahjahan Road,  
New Delhi. ...Respondents

(By none)

O R D E R ( Oral)

By Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)

This OA has been posted urgently before us on  
the statement at the Bar that some urgent orders are  
to be issued in spite of certain objections still

pending, we over-rule all the objections and take the OA as well as the connected MAs on file and proceed to pass the following orders:

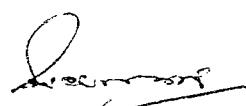
This is a fresh OA and no notice has been issued to the respondents but some of the affected parties have moved an application for intervention and but for these respondents, none is present on behalf of the official respondents for the hearing of this case.

The reliefs sought in this petition are firstly that a direction from this court to the respondents to conduct DPC for the post of DCIT which has arisen due to creation, promotion, retirement in addition to existing vacancies in the year 1997-98 and make requisite panel accordingly. We are of the opinion that we cannot call upon to grant the relief as sought for for the simple reason that we do not propose to run the department from this place rather it is for the department to make appropriate panel and hold DPC in accordance with the rules and we cannot presume that the department would violate the extant rules in this regard. The second relief sought is a direction that the respondents shall follow the judgement of the Hon'ble Supreme Court at Annexure-III in its true spirit as desired. It goes without saying that the ratio of the Hon'ble Supreme Court decision is a law laid down under Article 141 of the Constitution of India and is binding on all authorities including the respondents for which no notice in this OA is required for a direction that the ratio of the said decision shall be followed wherever

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it is applicable to the facts at hand at the instance of the respondents. It is needless to say that no reply from the side of respondents is required to be filed on this issue. Hence, we finally hear the matter and dispose of the same with the observation that the judgements of the Hon'ble Supreme Court, wherever applicable, is binding on all the authorities including the respondents.

With these observations this OA as well as connected MAs do not merit further consideration and disposed of accordingly.



(S.P. Biswas)

Member (A)



(Dr. Jose P. Verghese)

Vice-Chairman (J)

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