



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No.1305/2020
MA No.1640/2020**

This the 24th day of September, 2020

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Nitin Sharma (Age about 33 years)
Senior Tax Assistant
S/o Birpal Sharma
R/o House No.62,B-Block
Suraj Vihar, Kakrola More
Dwarka, New Delhi – 110 078.
2. Manoj Sharma (Age about 32 years)
Senior Tax Assistant
S/o Shri Brahmanand Sharma
R/o E-3/45, Shiv Ram Park
Nangloi, Delhi – 110 041.
3. Tarun Mehra (Age about 33 years)
Senior Tax Assistant
S/o Shri Shiv Charan Mehra
R/o WZ-427C, Street No.18J
Sadh Nagar-2, Palam Colony
New Delhi – 110 045.
4. Rohit Kumbhare (Age about 34 years)
Senior Tax Assistant
S/o Late Shri M. K. Kumbhare
R/o 1/46, Second Floor, Sector-1
Vaishali, Ghaziabad, UP.
5. Ashish Gupta
S/o Shri Ashok Kumar Gupta
R/o I-4/137, Sector-16, Rohini
Delhi.
6. Vipin Kauhik (Age about 31 years)
Senior Tax Assistant
S/o Shri Satya Ram
R/o RZ 44, Ration Wali Gali

New Roshan Pura, Nazafgarh, New Delhi.



7. Rahul Bokolia (Age about 33 years)
Senior Tax Assistant
S/o Shri Madan Lal
R/o F-147, Madipur Colony
New Delhi – 110 063.
8. Kashish (Age about 30 years)
Senior Tax Assistant
D/o Shri Parmod Kumar
R/o Flat No.55, Pocket-F-25, Sector-3
Rohini, Delhi – 110 085.
9. Kavendra Singh (Age about 26 years)
Stenographer –II
S/o Shri Omprakash Singh
R/o VPO Bahadrgarh, Teh. Thakurdwar
Distt. Moradabad, Uttar Pradesh – 244601.
10. Vinay Kumar (Age about 30 years)
Senior Tax Assistant
S/o Shri Atar Singh
R/o VPO Mundahera, Teh. Matanhail
Distt Jhajjar, Haryana.
11. Mary Chinzojam
(Age about 30 years)
Senior Tax Assistant
D/o Shri T. Aloysius Nehkhojang
R/o 309, Street No.6, Block K, Mahipalpur
New Delhi.
12. Nishant Sharma (Age about 29 years)
Senior Tax Assistant
S/o Raj Kumar Sharma
R/o A-1, Second Floor, Mahendru Enclave
Delhi – 110 033.
13. Vikram Rana (Age about 29 years)
Senior Tax Assistant
S/o Shri Jagdish Rana
R/o Village Bajkhera, P.O. Palam
Gurugram.
14. Raj Kumar (age about 31 years)
Senior Tax Assistant
S/o Shri Kartar Singh

R/o Flat No.288, Phase-1, Pocket-1, Netaji Subhash
Apartment, Sector-13, Dwarka, New Delhi.



15. Seema Rani (Age about 32 years)
Senior Tax Assistant
D/o Shri Ashok Kumar Verma
R/o 67, F-F, Neelam Vihar
Sec-14, Kaushambi
Ghaziabad, Uttar Pradesh
16. Rajat (Age about 30 years)
Senior Tax Assistant
S/o Shri Dharam Vir Singh
R/o WZ-49, Nangli Zalib, B-1, Janak Puri
New Delhi – 110 058.
17. Sachin Kumar (Age about 31 years)
Senior Tax Assistant
S/o Shri Babu Lal
R/o D-3, Gali No.7, Jai Vihar, Phase-1
Najafgarh, New Delhi – 110 043.
18. Satender Kumar (Age about 28 years)
Stenographer Grade-II
S/o Shri Vijay Pal Singh
R/o B-17/10, Krishna Nagar, Near Geeta Colony
Police Station, Delhi - 110051
19. Satender Kumar (Age about 33 years)
Senior Tax Assistant
S/o Sh. Devender Kumar
R/o House No. 28-B, Pocket-R, Dilshad Garden,
Delhi-110095
20. Robin Nikit Tirkey (Age about 23 years)
Senior Tax Assistant
S/o Valerian Tirkey
R/o D-124, Phase-4,
Arya Nagar, New Delhi-110018
21. Deepak Nimkar (Age about 36 years)
Senior Tax Assistant
S/o Sh. Nonand Rai
R/o GG-1/71-A, Vikas Puri,
New Delhi-110018
22. Prashant Walia (Age about 29 years)



- Senior Tax Assistant
S/o Sh. Aman Singh Walia
R/o Chiranjeev Vihar, Ghaziabad
23. Kusum (Age about 36 years)
Senior Tax Assistant
D/o Sh. Kunwar Pal Singh
R/o B-750, Weavers Colony, Ashok Vihar, Phase-IV
New Delhi-110052
24. Vikas Jain (Age about 29 years)
Senior Tax Assistant
S/o Sh Mohan Lal Jain
R/o A-224, Shastri Nagar, Delhi
25. Amit Aillawadhi (Age about 34 years)
Senior Tax Assistant
S/o Sh. Narinder Nath
R/o M-238, First Floor, Vikas Puri,
New Delhi-110018
26. Rohit Sharma (Age about 32 years)
Senior Tax Assistant
S/o Sh. Basant Ballabh Sharma
R/o F-3/6, Vikas Nagar, Uttam Nagar, New Delhi

.... Applicants

(By Advocate: Mr. M.K. Bhardwaj)

VERSUS

1. Union of India,
Through Secretary (Revenue)
Ministry of Finance, North Block,
New Delhi
2. Central Board of Direct Taxes (CBDT)
Department of Revenue
Ministry of Finance,
Govt. of India, North Block,
New Delhi
3. The Principal Chief Commissioner (CCA)
Income Tax, Delhi,
Delhi Zone, CR Building,
IP Estate, New Delhi
4. The Directorate General of Income Tax (HRD)
Ministry of Finance,
2nd Floor,

Jawahar Lal Nehru Stadium,
New Delhi

- Respondents



(BY ADVOCATES: Shri Hanu Bhaskar with
Shri Manjeet Singh Reen)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

Heard learned counsel for the applicants.

2. The applicants, 26 in numbers, have filed the present OA jointly under Section 19 of the A.T. Act, 1985 against the inaction of the respondents in not taking the final decision on the request of the applicants for inter commissionerate transfer.

3. Shri M. K. Bhardwaj, learned counsel for the applicants submits that the concerned commissionerates under which the applicants have been working, have already issued No Objection Certificate. However, the commissionerates where the applicants want to be transferred have not taken a decision in the matter in spite of representations (Annexure A-5 (collectively) and Annexure A-7 (collectively) from the applicants.

4. Issue notice to the respondents. Ld. Counsels, who appeared for the respondents on advance service accept notice.



5. MA No. 1640/2020 has been filed seeking permission to file the OA jointly. For the reasons given in the MA and keeping in view no objection from the Ld. Counsels of the respondents, the MA seeking permission to file the OA jointly is allowed.

6. At this stage, Shri M. K. Bhardwaj, learned counsel for the applicants submits that the applicants shall be satisfied, if the present OAs disposed of at this very stage with a direction to the respondent no. 3 to consider the aforesaid pending representations of the applicants and to dispose of the same by passing an appropriate reasoned and speaking in a time bound manner.

7. We of the considered view that if such a request on behalf of the applicants is accepted, no prejudice is likely to be caused to the respondents.

8. In view of the aforesaid, without going into the merit of the claim of the applicants, we hereby dispose of the present OA at the admission stage itself with a direction to the respondent no.3 to consider the applicants' aforesaid pending representations and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within 12 weeks from the date of receipt of a certified copy of this order.



9 The OA is disposed of in the aforesaid terms. However, there shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)

/lg/uma/daya/

