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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.RA 52 of 1992 in
OA 1156 of 1989

Date of decision: 08.05.1992.

Shri B. Nagarajan

...Petitioner

Vs.

Union of India

...Respondents

For the Petitioner

...In person

For the Respondents

...Shri R.S. Aggarwal, Counsel

CORAM:

The Hon'ble Mr.P.K. Kartha, Vice-Chairman(J)

The Hon'ble Mr.I.K. Rasgotra, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgment? *yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT

(of the Bench delivered by Hon'ble Shri P.K. Kartha,
Vice-Chairman(J))

The petitioner in this RA is the original applicant in OA 1156 of 1989 which was disposed of by judgment dated 29.11.1991. The petitioner, who was working as a Commissioner of Income Tax, New Delhi, had assailed the order dated 02.02.1989 passed by the Ministry of Finance, Department of Revenue rejecting his representation for restoration of seniority in Class-I Service of the Income Tax Department. He had prayed that the respondents be ordered to allow seniority to him as Income Tax Officer Group 'A' after taking into consideration the service put in by him with effect from 1.1.1966 and to further direct that the consequential

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benefits accruing on such promotion like deemed seniority for selection as Deputy Commissioner of Income Tax and Commissioner of Income Tax.

2. After going through the records of the case and hearing both parties, the Tribunal held that the application was devoid of any merit and dismissed the same.

3. When the RA came up for hearing on 04.05.92, the petitioner appeared in person and argued that the arguments advanced and the case law cited ^{by him} have not been referred to in the judgment.

4. We are not impressed by the above contention. We are satisfied on a perusal of the case records that the application was disposed of after a consideration of all the points urged by the petitioner. In J. Ranga Swamy Vs. Government of Andhra Pradesh and Others, 1989[2] SCALE 1405 at 1406, the Supreme Court has observed that "the mere fact ^{is} that the order does not discuss the contentions or give reasons cannot entitle the petitioner to have what is virtually a second review".

5. In the light of the above, we see no merit in the RA and the same is dismissed.

Sulabh
(I.K. RASGOTRA)
MEMBER(A)
08.05.1992

Sumit
8/5/92
(P.K. KARTHA)
VICE CHAIRMAN(J)
08.05..1992

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