

Central Administrative Tribunal, Principal Bench

O.A.No.2404/91

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 1st day of September, 1997

1. Indian Revenue Service Association
(All India Body) through its General
Secretary, Shri Krishna Saini
Room No.245, Central Revenue Building
I.P.Estate, New Delhi.

2. Shri Anirudh Kumar
s/o Shri P.S.Aggarwal,
Asstt. Commissioner of Income-Tax
Room No.383, Central Revenue Building
I.P.Estate
New Delhi.

... Applicants

(None for the applicants)

Vs.

1. Union of India through the
Secretary, Department of Revenue
Ministry of Finance
North Block
New Delhi.

3. All India Federation of Incometax
Gazetted Services Association
through its Treasurer Shri S.C.
Khosla, ITC, New Delhi.

2. Central Board of Direct Taxes through
its Chairman
Department of Revenue
North Block
New Delhi.

4. Shri U.P.Choudhry, Income Tax
Officer,
NEW DELHI.

... Respondents

(By Shri V.P.Uppal, Advocate)

O R D E R (Oral)

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

The last order dated 26.8.1997 shows that sufficient indulgence has already been shown to the applicants who have again chosen not to be present at the time the case was called out twice today. We also note that by order dated 03.10.1996 the same situation had prevailed and that order had also been passed dismissing the case in default. This case was listed as Item No.1 in today's cause list and ~~have~~^{none} appeared for the applicant.

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2. In view of the above circumstances, we have no alternate but to dismiss the case for default.

R. K. Ahooja
(R. K. AHOOJA)
MEMBER(A)

Lakshmi Swaminathan
(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

3. Later Shri P.P.Khurana, learned counsel for the applicants appeared. He submits that he came at about 11.40 A.M. and made mention of the case at 12.15 P.M that he understands that the case has been taken up before 11.30 A.M. when none was present on behalf of the applicants. He therefore, requested that the case may be restored for hearing. However, the learned counsel for the respondents has left after the above order. It was recalled that Shri Uppal, learned counsel had mentioned before he left that he hoped 'history will not repeat itself'.

4. In view of what has been stated above, the prayer for restoration of the OA at this stage is not allowed.

R. K. Ahooja
(R. K. AHOOJA)
MEMBER(A)

Lakshmi Swaminathan
(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

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