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Central Administrative Tribunal, Principal Bench

Original Application No.571 of 2004

M.A.617/2004

New Delhi, this the 31st day of August, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman

Hon'ble Mr. S.K. Naik, Member(A)

Narinder Singh,
At present posted as
Commissioner, Income Tax,
Jamnagar, Gujarat

...Applicant

(By Advocate: Shri G.D. Gupta, Sr. counsel with Shri S.K. Gupta)

Versus

1. Union of India,
Ministry of Finance,
Through Secretary Revenue,
North Block, New Delhi

2. Shri V.K. Sharma,
Under Secretary,
Government of India,
Ministry of Finance,
Department of Revenue,
New Delhi

....Respondents

(By Advocate: Shri V.P. Uppal)

O R D E R (ORAL)

Justice V.S. Aggarwal, Chairman

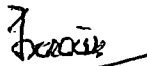
The applicant has filed the present application seeking quashing of the memorandum of Articles of Charge/Imputation of Misconduct. He is a Commissioner in the Income Tax Department. It becomes unnecessary for us to delve further into the details because any expression of opinion at this stage would be embarrassing for either side.


2. It was not disputed at either end that the applicant has submitted his reply to the said chargesheet. He has taken all the legal and factual pleas available in law and therefore, at this stage when the matter is before the disciplinary authority, we dispose of the present

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... petition and direct that the disciplinary authority would consider all the legal and factual pleas and thereafter take an appropriate decision in accordance with law preferably within three months of the receipt of the certified copy of the present order. Liberty is given to the applicant to approach this Tribunal if need arises. With these directions, the O.A. is disposed of.


(S.K. Naik)
Member(A)


(V.S. Aggarwal)
Chairman

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