

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA No.111/94 in OA No.1778/92

NEW DELHI THIS THE 4TH DAY OF JULY, 1994.

MR. JUSTICE S.K.DHAON, ACTING CHAIRMAN
MR. B.K.SINGH, MEMBER(A)

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Shri M.V.Nayar
S/o Late Sh.K.K.Nayar,
R/o A-1/13,
Safdarjung Enclave,
New Delhi-110029. ... APPLICANT
BY ADVOCATE MRS.MEERA CHHIBBER.
Vs.

Union of India through

1. The Secretary,
Department of Revenue
Ministry of Finance
Government of India
North Block
Central Secretariat
New Delhi.
 2. Under Secretary to the
Government of India
Central Board of Direct Taxes
Department of Revenue
Ministry of Finance
North Block
Central Secretariat
New Delhi. ... RESPONDENTS
- NONE FOR THE RESPONDENTS.

ORDER(ORAL)

JUSTICE S.K.DHAON:

This is an application seeking the modification/recalling of the judgement dated 22.2.1994 delivered in OA No.1778/92.

2. Though a number of prayers have been made in this review application, only prayers 'B' and 'C' are being pressed.

3. In the preliminary enquiry commenced against the applicant, he was called upon to furnish his reply. He, before giving a reply, made a prayer that he may be permitted to inspect the relevant record (the various orders of assessment passed by him). That was not ~~done~~ ^{allowed} by the respondents. The applicant came to this Tribunal with the prayer that the preliminary enquiry itself may be quashed.

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4. During the course of/hearing of the original application, Shri R.S.Aggarwal, learned counsel for the respondents made a statement at the Bar that

the department will have no objection in permitting the applicant, the inspection of the relevant files containing the aforesaid ^{orders} of assessment. It is true that our judgement does not incorporate the said assurance given by the learned counsel for the respondents. We are satisfied that we should have given a direction to the respondents while disposing of the OA in terms of the undertaking/assurance given by Shri R.S. Aggarwal. Therefore, a case has been made out for the modification of our judgement.

5. Notices had been issued to the respondents. However, no one has cared to appear on their behalf even in the revised list.


6. In continuation of our judgement dated 22.2.1994, we direct the respondents to permit the applicant to inspect the relevant files which contain the various orders of assessment passed by the applicant and which are the subject matter of the preliminary enquiry.

7. This review application stands disposed

of. 

(B.K. SINGH)
MEMBER(A)

SNS


(S.K. DHAON)
ACTING CHAIRMAN(J)