

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 22nd day of November 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

HON. MR. A.K. BHATNAGAR, J.M.

O. A. No. 902 of 2001.

1. A.B. Tewari S/O Late Shri B.D. Tewari, working as Inspector in the Office of Deputy Director of Income Tax (Investigation) Moradabad.
2. R.K. Shukla S/O Late Shri Kali Charan Shukla, working as Inspector in the O/O Dy. Director of Income-Tax (Investigation) Moradabad.... .... Applicants.

Counsel for applicants : Sri K.K. Mishra.

Versus

1. Union of India through the Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi.
2. The Chairman, Central Board of Direct Taxes, North Block, New Delhi.
3. The Director, Directorate of Organisation & Management Services Central Board of Direct Taxes, New Delhi.
4. The Chief Commissioner of Income-Tax, Lucknow.
5. The Commissioner of Income-Tax, Bareilly.

..... .... .... Respondents.

Counsel for respondents : Sri R.C. Joshi.

ORDER

BY HON. MR. S. DAYAL, A.M.

This application has been filed for setting aside the rules for promotion to the post of Income-Tax Officer as mentioned in annexure of Annexure-A-I to the O.A. It is also prayed that the amended rules giving placement of candidates on one to one basis from the list of those, who were allowed to appear on the basis of seniority based on year of passing of the departmental examination and the other list of seniority on the basis of length of service. It is also prayed that the Departmental Promotion Committee shall be restrained from

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declaring result of promotion of Income-Tax Officers till the O.A. is decided.

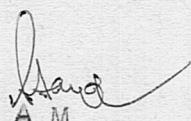
2. Counsel for the applicant has prayed that the relief as sought is not insisted on by the applicants, who have filed representations addressed to the Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi. Counsel for the applicant has also prayed that the benefit of judgment of Hon'ble Supreme Court in Chief Commissioner Administration and Commissioner of Income-Tax Delhi and others Vs. K.C. Shama & others AIR 1998 SC 291 be allowed to the applicants while considering their representations. We find that the representations as made do not have any reference to the case cited before us.

3. We permit the applicants to make representations giving reference to the case decided by Hon'ble Supreme Court also to the authority competent to decide the issue in the representations in the light of the judgment of Hon'ble Supreme Court within a fortnight and the competent authority shall decide the said representations within a period of three months thereafter. With this direction, the O.A. stands disposed of.

There shall be no order as to costs.



J.M.



A.M.

Asthana/