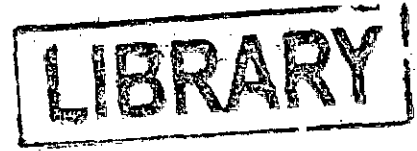


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



(Through Vedio Conferencing)

OA. 350/391/2021

Date of Order: 27.04.2021

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

Runu Saha, daughter of Sudhir Kumar Das, aged about 60 years, worked as Income Tax Officer, ITAT 4, residing at 632, Dum Dum Park, Nabaananda Niketan Co-operative Society Ltd., Flat No. 18, Kolkata- 700055.

.....Applicant.

-versus-

1. Union of India, service through the Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi - 110001.
2. The Chairman, Central Board of Indirect Taxes, North Block, New Delhi - 110001,
3. The Principal Chief Commissioner of Income Tax, West Bengal and Sikkim Office at Aayakar Bhawan, P-7, Chowringhee Square, Kolkata- 700069.
4. The Commissioner of Income Tax (DR), ITAT-2 & Admn. 225, AJC Bose Road, Kolkata- 700020.

For the Applicant : Mr. A. Chakraborty, Counsel
Ms. P. Mondal, Counsel

For the Respondents : Ms. B. Sarbajna, Counsel



ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard ld. Counsel for both sides at length.

2. This application has been filed to seek the following reliefs:

"8(a) Impugned Charge Memorandum being No. CIT (DR)ITAT-II & Admin/Kol/CCS(CCA)/19-20/1795 dated 11.11.2019 dated 21.01.2021 issued by the respondent no. 4 is not tenable in the eye of law and as such the same may be quashed.

(b) An order do issue directing the respondents to withdraw/cancel/rescind the Charge Memorandum being No. CIT(DR)ITAT-II & Admin/Kol/CCS (CCA)/19-20/1795 dated 11.11.2019 and thereby to grant the applicant with all consequential benefits including grant, sanction and payment of the pension, pensionary and all other retiral dues including Provident Fund amount, Gratuity amount, leave salary, group insurance amount, commutation etc. and others dues in favour of the applicant at an earliest.

(c) Costs and incidentals.

(d) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. Ld. Counsel for applicant submits that the retiral benefit of the applicant has not been released since she has retired in the month of January, 2021 and that a proceeding is pending against her. Therefore, ld. Counsel for applicant innocuously pray that the proceedings be completed at the earliest and the admissible dues be released meanwhile.

4. Ld. Counsel for respondents however, seeks time to take instructions and to file reply in the matter.

5. In my considered opinion, as no fruitful purpose would be served by calling for a reply since the disciplinary proceeding is pending and have to be concluded by the respondent authorities themselves, I dispose of the OA with a direction upon the competent respondent authorities to complete the proceedings within a period of 6 months from the date of communication of this order.

6. In the meantime, respondents shall release all the admissible dues to the applicant.



7. It is made clear that I have not entered into the merit of this matter and, therefore, all points are kept open for consideration.

8. The OA accordingly stands disposed of. No costs.

(Bidisha Banerjee)
Member (J)

pd

