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CENTRAL ADMINISTRATIVE TRIBUNAL  
ALIABAD BENCH

.....

Registration O.A. No. 505 of 1987

Shri Naroop Singh Gill .... Applicant

versus

Union of India and ors .... Respondents

Hon 'ble Justice U.C. Srivastava, V.C.

Hon 'ble Mr A.B. Gorthi, A.M.

(By Hon 'ble Justice U.C. Srivastava, VC)

The applicant who is Upper Division Clerk in the Office of Commissioner of Income Tax Commissioner, Lucknow, has approached this Tribunal <sup>for seeking relief</sup> ~~for declaration~~ that a declaration may be issued directing the Commissioner of Income Tax, Lucknow to post him on the post of Inspector of Income Tax with effect from the date of his initial appointment. The applicant's father who was an Income Tax Inspector died in harness. Thereafter, the applicant and his mother made representation to the Chairman, Central Board of Direct Taxes, New Delhi, praying that the applicant who was student of M.A. Part-I may be appointed in the place of his father on compassionate ground. On the representation of the mother, the Commissioner of Income Tax vide order dated 16-1-1984 appointed him as Upper Division Clerk in the scale of Rs.330 - 560, the applicant accepted the said offer and joined the services. In the year 1987 it appears that after the appointment, one Smt. Shashi Mathur whose husband was Income Tax Officer died at a very early date was appointed as Income Tax Inspector. The applicant like other similarly placed 3 persons approached the Tribunal claiming the above mentioned relief. The case

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of the 3 persons came up before another Bench of this Tribunal, after taking into consideration the relevant facts and the law on this point, was pleased to dismiss the same vide order dated 1-9-1988. In K.M. Srivastava vs. Chairman, Central Board of Direct Taxes, New Delhi and other connected cases registered as O.A. 335/87, 336/87 and 365/87 this Tribunal held that there was no merit in the applications. Although no one has appeared for the applicant, but we have gone through the pleadings and the said judgment and we are in <sup>the</sup> entire agreement with the said judgment and we do not find any ground <sup>for</sup> dissenting <sup>in</sup> the same. Accordingly, we are of the view that the applicant is not entitled to any relief claimed and consequently the application is dismissed. There will be no order as to the costs.

*Shambhu*

MEMBER (A)  
(sns)

*h*  
VICE CHAIRMAN

March 14, 1991.

Allahabad.