

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD  
ORIGINAL APPLICATION NO.35 OF 2002  
ALLAHABAD THIS THE 9TH DAY OF DECEMBER, 2002

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN  
HON'BLE MR. G. S. TAMPI, MEMBER-A

Smt. Kum Kum Karki,  
aged about 45 years,  
W/o Shri Tul Bahadur Karki,  
R/o Karki Niwas, Chaukya Road,  
Subhash Nagar,  
Dehradun.

..... Applicant

(By Advocate Shri K.C. Sinha)

Versus

1. Union of India,  
through the Secretary,  
Govt. of India,  
Ministry of Finance,  
Department of Revenue,  
Central Board of Direct Taxes,  
Directorate of Organisation and Management Services  
New Delhi.
2. Chief Commissioner of Income Tax  
Cadre Controlling Authority (CCA),  
(U.P. West) Region, Ayakar Bhawan,  
16/69, Civil Lines,  
Kanpur.
3. Commissioner of Income Tax,  
Income Tax Office,  
Dehradun.

.....

Respondents

(By Advocate Shri G. R. GUPTA)

O R D E R

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN

By this O.A under section 19 of Administrative  
Tribunals Act 1985, the applicant has challenged the orders  
dated 27.04.02 and 30.04.02 by which applicant has been  
reverted from the post of Inspector of Income Tax to the  
post of Steno Grade-I.

2. The facts of the case are that the applicant was  
serving as Steno Grade-I at Dehradun. She was selected for  
promotion as Income Tax Inspector. Her name was included  
in the penal, a copy of which has been filed as Annexure A-1.  
The name of the applicant is shown at serial no.45.

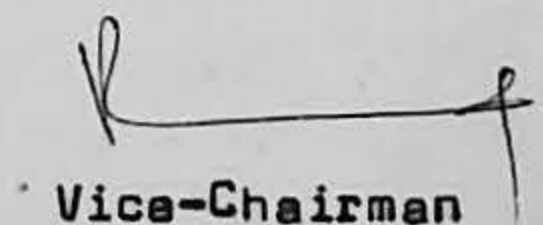


By order dated 04.07.2001 the applicant was posted as Income Tax Inspector at Roorkee. Her name is shown at serial no.22. It is claimed that in pursuance of order dated 04.07.2001 (Annexure A-2) she joined at Roorkee and she was served there <sup>where</sup> ~~while~~ impugned order was passed reverting the applicant. <sup>same</sup> ~~Similar~~ order of reversion dated 27.04.2002 was challenged by Smt. Prem Arora in O.A No.12/02 which was allowed finally by order dated 07.05.02 and the order dated 30.04.2002 and 27.04.2002 were quashed for the short reasons that before passing the order applicant was not given opportunity <sup>of hearing.</sup> Another O.A was filed by Shri M.L. Sharma registered as O.A no.606/02 which was decided on 22.05.2002.

3. In our opinion, the applicant is also entitled for relief. The O.A. is allowed. Impugned orders dated 27.04.2002 and 30.04.2002 are quashed. The applicant shall be entitled to continue as Inspector of Income Tax. However, it shall be open to the respondents to pass a fresh order in accordance with law.

4. There will be no order as to costs.

  
Member-A

  
Vice-Chairman

/Anand/