

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.172/97

Monday, this the 3rd day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K Sugunanandan,
Tax Assistant,
Income Tax Office,
Division.I, Ayakar Bhavan,
Shakthan Thampuran Nagar,
Thrissur-1.

- Applicant

By Advocate Mr MC Nambiar

Vs

1. The Director of Income Tax,
Central Board of Direct Taxes,
Ministry of Finance, A.R.A.Centre,
Ground Floor, E-2, Jhandevara Extension,
New Delhi.
2. The Union Government of India
represented by the Secretary,
Ministry of Finance,
Department of Revenue,
Central Secretariat,
New Delhi.
3. The Commissioner of Income Tax,
Central Revenue Building,
I.S.Press Road, Ernakulam. - Respondents

By Advocate Mr James Nedumpara for Mr Mathews J Nedumpara,
Additional Central Government Standing Counsel

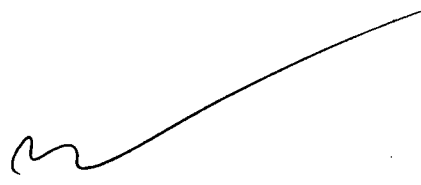
The application having been heard on 3.2.97 the
Tribunal on the same day delivered the following:

O R D E R

AV HARIDASAN, VICE CHAIRMAN

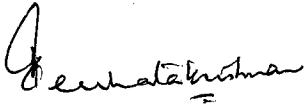
Heard the learned counsel for applicant. On a
detailed scrutiny of the allegations in the application,
we do not find that there is any valid challenge to the

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vires of the rules. There is no discrimination shown to the applicant. The principle enshrined in Articles 14 and 16 of the Constitution require that law shall be applied equally to all those who are similarly situated. There is no allegation that that rule has not been applied so in this case. Further, the prescription of minimum marks in particular subjects and consideration of only certain marks for the purpose of aggregate marks in a particular subjects are all left to be decided by the concerned authorities, taking into account the requirement of service. No judicial intervention in such matters is called for. The application therefore is devoid of any merit and therefore the same is dismissed. No costs.

Dated, the 3rd day of February, 1997.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN