

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Original Application No.524/2006

This the 14th Day of December 2006

HON'BLE MR. A.K. SINGH, MEMBER (A).

HON'BLE MR. M. KANTHAIAH, MEMBER (J).

1. Rekha Srivastava aged about 42 years wife of Sri Manoj Kumar Srivastava, Resident of 50, Beni Prasad Road, Lalbagh, Lucknow.
2. Devki Upadhyay, aged about 40 years wife of Sri N.C. Upadhyay, Resident of F-18, Income Tax Colony, Wazir Hasan Road, Lucknow.
3. Smt. Renu Mitra , aged about 42 years wife of Dr. K.K. Mitra, Resident of 9/9 Lajpat Nagar, Chowk, Lucknow.
4. Laxmi Shukla aged about 39 years D/o Sri R.S. Shukla, Resident of F-5, Income Tax Colony, Wazir Hasan Road, Lucknow.
5. Devender Singh, aged about 40 years son of Late Sri Jaswant Singh, Resident of 54/8 Old Labour Colony, Aishbagh, Lucknow.
6. Rajendra Kumar Shukla, aged about 42 years son of Sri D.L. Shukla, Resident of House No.100, Navaiya Ganeshganj, IIIrd Lane, Lucknow.
7. Rajendra Prasad aged about 43 years S/o Late Sri Ram Saran, Resident of F-28 Income Tax Colony, Wazir Hasan Road, Lucknow.

...Applicants.

By Advocate: Shri. Alok Trivedi.

Versus.

1. Union of India, through the Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. The Chairman, Central Board of Direct Taxes, North Block, New Delhi.
3. The Director of Income Tax (Systems), "ARA" Building, Jhandewalan Extension, New Delhi.

4. Chief Commissioner of Income Tax, Ayakar Bhawan, 5, Ashok Marg, Lucknow.

...Respondents.

By Advocate: Shri P.K. Srivastava for Shri N.H. Khan.

ORDER (Oral)

BY MR. A.K. SINGH, MEMBER (A).


Counsel for respondents Shri P.K. Srivastava, Proxy counsel for Shri N.H. Khan submits that the respondents have decided to grant the same relief to all other 7 applicants, which have been granted to other similarly placed persons as per order dated 03.10.2003 passed in O.A.No.925/2002 of Central Administrative Tribunal, Principal Bench, New Delhi and order dated 01.06.1999 of Madras bench of Central Administrative Tribunal in O.A.No.932/2003, which was also upheld by the Hon'ble Supreme Court in SLP No.5840/2005 dated 09.09.2004. Respondents have already communicated their decision to all the applicants in the O.A. vide their letter No. F.No.C.A.T.-Lko/LKO/CC/M.P.No.541(2006)/06-07 Dated 21.06.2006 and letter No.F.No.CC/C.A.T.-Lko/OA No.641 of 2006 /06-07/9493 Dated 18.09.2006. The counsel for applicant Shri Alok Trivedi confirms the same. He however, submits that despite their letters dated their letter No. F.No.C.A.T.-Lko/LKOCC/M.P.No.541(2006)/06-07 Dated 21.06.2006 and letter No.F.No.CC/C.A.T.-Lko/OA No.641 of 2006 /06-07/9493 Dated 18.09.2006 the respondents have not taken any concrete steps to implement this decision.


2. We have considered the matter. Since the Government is a model employer and it is expected that they will, no doubt, implement their decision. However, this has to be done within a definite schedule of time. Respondents are accordingly given 3 months time w.e.f the date of receipt of copy of this order to conduct a DPC immediately and to consider the case of applicants for promotion as per their assurance vide F.No.C.A.T.-Lko/LKOCC/M.P.No.541(2006)/06-07 Dated 21.06.2006 and letter No. F.No.CC/C.A.T.-Lko/OA No.641 of 2006 /06-07/9493 Dated 18.09.2006. The entire

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exercise in this regard shall be completed within this period. However, if the applicants are still aggrieved by any of the decision taken by the respondents, in this regard, they are given liberty to come-up for redressal of their grievances before this Tribunal again.

3. The O.A. bearing O.A. No.524/2006 is disposed of in the above manner. Parties to bear their own cost.


(M. KANTHAIAH)
MEMBER (J)
14.12.06


(A.K. SINGH)
MEMBER (A)

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