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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY-400614

O.A.NO. 5/88

Shri Nasir Ali Merchant
Building No. 188, 'B' Block
Room No. 7041, Kannamwar Nagar
Vikhroli (East)
Bombay 400083.

Applicant

V/s.

1. Chairman
Central Board of Direct Taxes
New Delhi
2. Chief Commissioner of Income Tax(Admn.)
and Commissioner of Income Tax
Bombay City-1
Bombay
3. Commissioner of Income Tax
Bombay City-XII
(Controller of Estate Duty)
through Chief Commissioner
of Income Tax (Administration)
Aaykar Bhavan
Maharshi Karve Road
Bombay 400020
4. The Deputy Controller of Estate Duty
through the Chief Commissioner
of Income Tax (Adm.)
Aaykar Bhavan
Maharshi Karve Marg
Bombay 400020

Respondents

Coram : Hon'ble Vice Chairman B C Gadgil
Hon'ble Member(A) L H A Rego

Appearance:

Shri M A Mahalle
Advocate
for the Applicant

TRIBUNAL'S ORDER
(Per: B C Gadgil, Vice Chairman)

DATED : 8.2.1988

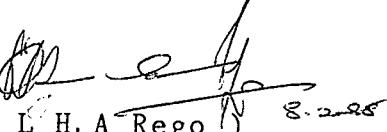
Heard Mr. Mahalle, Advocate for the applicant.
The applicant is dismissed from service after holding
a departmental enquiry. The applicant has preferred
an appeal to the Chairman, Central Board of Direct Taxes
on 29.1.1987. Mr. Mahalle submitted that it would be
in the interest of both the parties if the appeal is

B.C.G.

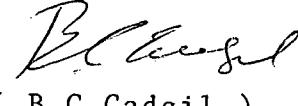
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decided expeditiously. We agree with this submission and hence we direct that the appeal preferred by the applicant on 29.1.1987 should be decided expeditiously say within a period of three months from to-day. It is needless to say that as laid down by the Supreme Court in the case of Ramchander V. Union of India reported in ATR 1986(2) SC 252 the appellate authority will have to give the applicant an opportunity of being heard in person and then pass a speaking order.

With these directions the Original Application is disposed of. It is needless to say that the applicant, if he unfortunately remains aggrieved by the decision of the appellate authority, would be at liberty to file a fresh application. A copy of this order should be sent to the Respondent No. 1 with the view that our direction of deciding the appeal within three months is complied.


(L H A Rego) 8.2.88

Member (A).


(B C Gadgil)

Vice Chairman