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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY 400 614

TRANSFERRED APPLICATION NO. 59/88

Shri Tejprakash
B/25 Income Tax Colony
Peddar Road
Bombay 400 026 & 18 OTHERS

APPLICANTS

V/s

1. Union of India
2. Secretary
Ministry of Finance
Department of Revenue
North Block
Central Secretariat
NEW DELHI
3. Chairman
Central Board of Direct Taxes
North Block; Central Secretariat
NEW DELHI

RESPONDENTS

CORAM: Hon'ble Member (J) M B Mujumdar
Hon'ble Member (A) M Y Priolkar

TRIBUNAL'S ORDER

DATED: 1.3.1989

(PER: M B Mujumdar, Member (J))

Present Mr. M A Mahalle, learned advocate for the applicants, Mr. S R Atre (for Mr. P M Pradhan) learned advocate for the respondents and Mr. J D Desai, Advocate for the intervenors.

2. The President of the Association of Gazetted Officers of Income Tax Department, Bombay has filed Miscellaneous Petition No. 52/89 for permission to intervene in this application. That application is granted with a clarification that only the arguments of the advocate of the Association will be heard at the time of final hearing. The Association cannot file any separate statement or claim any independent relief. With this direction Miscellaneous Petition No. 52/89 is disposed of.


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3. Mr. Atre stated that in view of the differing views taken by the Calcutta Bench of this Tribunal and Jabalpur and Jodhpur Bench of this Tribunal, the Madras Bench of this Tribunal by an order dated 9.2.89 has made a reference to the Chairman for constituting a Larger Bench for deciding the points.

4. Respondents to file their reply on 5.4.1989. On that date parties may try to file a copy of the order of Madras Bench dated 9.2.1989.


(M Y PRIOLKAR)
MEMBER (A)


(M B MUJUMDAR)
MEMBER (J)