

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION NO:820/2001  
DATED THE 8TH DAY OF FEB, 2002.

CORAM:HON'BLE SHRI JUSTICE BIRENDRA DIKSHIT, VICE CHAIRMAN  
HON'BLE SMT. SHANTA SHASTRY, MEMBER(A)

Shri B.M.Choudhury,  
25, Belvedre,  
Bhulabhai Desai Road,  
Mumbai - 400 026.

... Applicant.

By Advocate Shri P.A.Prabhakaran

V/s.

1. Union of India through  
The Secretary, Department of Revenue,  
Ministry of Finance,  
North Block, New Delhi-110 001.

2. The Chairman,  
Central Board of Direct Taxes,  
Ministry of Finance,  
North Block, New Delhi-110 001.

3. The Chief Commissioner of Income Tax, Mumbai,  
5th Floor, Aayakar Bhavan,  
M.K.Road, Mumbai - 400 020. ... Respondents

By Advocate Shri V.G.Rege

(ORAL)(ORDER)

Per Smt.Shanta Shastry, Member(A)

In our order dated 24/1/2002 we had made it clear that if no reply is filed by respondents within 10days then we will proceed with the hearing of this case. It is thereafter expressed that much time has elapsed since disposal of OA-38/2001 and if what has been stated in the OA is correct, then we hope that the department will proceed to do needful in respect of the grievance of the applicant made in this OA in accordance with law. The case was listed for hearing on 5/2/2002 when the learned counsel for respondents had sought some time to ascertain the correct position. Again today when the matter has come up

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for hearing, the learned counsel for respondents is seeking further extension of time to comply. As yet the sealed cover has not been opened. The learned counsel has once again pleaded to grant time in this matter. He has contended that while disposing of the earlier OA, no definite time limit had been prescribed for compliance and the Tribunal had only quashed and set aside the charge sheet and the disciplinary proceedings. Normally six months time is expected to be taken if no time limit is mentioned in the order. In this connection, the learned counsel has produced a copy of the judgement of the Principal Bench of the Tribunal in CP-60/2001 in OA 2541/1999 wherein a similar point had arisen. The Tribunal had therefore granted six weeks time by fixing time limit for compliance of the direction given therein. As a matter of special indulgence we are giving two weeks time to respondents from the date of receipt of a copy of this order to open the sealed cover and to give effect to the contents of the sealed cover thereafter.

2. OA is accordingly disposed of with the above direction. No costs.

*Shanta J*  
(SMT. SHANTA SHASTRY)  
MEMBER(A)

*B. Dikshit*  
(BIRENDRA DIKSHIT)  
VICE CHAIRMAN

abp

order/Judgement despatched  
to Applicant/Respondent (s)  
on 15.2.2002

*PS*  
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