

(34)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1308/93.

Dt. of Decision: 18-11-96.

Ch. Sanjeev

.. Applicant.

Vs.

The Chief Commissioner of
Income Tax, Andhra Pradesh,
Ayakar Bhavan, Basheerbagh,
Hyderabad.

.. Respondent.

C

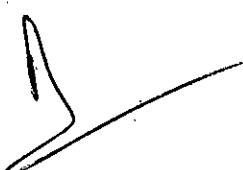
Counsel for the Applicant : Mr. G.V.R.S.Vara Prasad

Counsel for the Respondent : Mr.V.Rajeswara Rao for
Mr.N.V.Ramana, Addl.CGSC.

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)



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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.G.V.R.S.Vara Pasad, learned counsel for the applicant and Mr.V.Rajeswara Rao for Mr.N.V.Ramana, learned counsel for the respondents.

2. This OA is filed for setting aside the memo No.351/Estt/1993/94 dated 4-6-93 (Annexure-II) of the respondents in C.R.No. 351/Estt/1993-94 whereby the respondents refused to interfere with the seniority fixed in regard to the representations of the applicant by holding it as highly illegal, arbitrary and contrary to the ratio laid down by the Apex Court and for a consequential direction to the respondents to revise his seniority in the cadre of Income Tax Inspector without reference to the date of confirmation.

3. It is stated that the respondents have filed SLP in OA. No. 381/92 and batch against the order of this Tribunal dated 28-07-93, relying on the OA No. 381/92. These appeals ~~been~~ admitted in SLP No. 4946 to 4949/94 dated 08-03-94 by the Apex Court. It is also stated that the orders of this Tribunal in OA.381/92 and batch has been stayed. In view of the above, the learned counsel for the respondents submitted that the OA can be disposed of after the SLP is disposed of by the Apex Court.

4. This is a 1993 case. Hence keeping it pending till the disposal of the SLP by the Apex Court is not considered essential. However this application can be disposed of to grant the benefit to the applicant if he is similarly placed as the applicant in OA.381/92 and batch on the basis of the orders to be passed by the Apex Court in the SLP referred to above. The learned counsel for the respondents submitted that he has no objection to that course of action.



5. In view of the above, the following direction is given:-

If the applicant in this OA is similarly placed as the necessary relief to be ordered by the Apex Court in the SLP referred to above. In case the orders to be passed by the respondents ~~any~~ organisation is going to be adverse to the applicant after the disposal of the SLP by the Apex Court the applicant is free to approach this Tribunal by filing a fresh OA under section 19 of the A.T. Act, 1985. No costs.

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

18.11.96

(R. RANGARAJAN)
MEMBER (ADMN.)

18.11.96
Dy. Registrar (T)

Dated : The 18th Nov. 1996.
(Dictated in the Open Court)

SPR

Tgpt 11/196

09.1308/43

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

" " B:S. Jayaraman (M.R.)

DATED: 18/11/96

ORDER/JUDGEMENT
R.A/C.P./M.A. NO.

D.A. NO. 130 2993

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLR

II COURT

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

DEEPT/DEEPATCH

- 6 DEC 1996

हैदराबाद आयोडी
HYDERABAD BENCH