

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR

Date of order: 6/12/2001

OA No.126/2001

Dilip Shivpuri s/o late Shri R.N.Shivpuri, Additional Commissioner of Income Tax, Jaipur r/o B-120, Bhabha Marg, Tilak Nagar, Jaipur

..Applicant

Versus

1. Union of India through the Secretary, Department of Revenue, Ministry of Finance, North Block, Central Secretariat, New Delhi.
2. Chairman, Central Board of Director Taxes, North Block, Central Secretariat, New Delhi.

.. Respondents

Mr. M.Rafiq, Counsel for the applicant alongwith applicant who appeared in person.

Mr. N.K.Jain, counsel for respondents

CORAM:

Hon'ble Mr. S.K.Agarwal, Judicial Member

Hon'ble Mr. A.P.Nagrath, Administrative Member

ORDER

Per Hon'ble Mr. A.P.Nagrath, Administrative Member

The applicant prays for the following reliefs:-

- "i) By issue of mandamus or any other appropriate order or direction in the nature of quashing and setting aside the impugned charge-sheet dated 20.6.1997 (Annex.A/1);
- ii) By issue of mandamus or any other appropriate order or direction in the nature of directing the respondents to open the sealed cover and

act upon recommendations made by the DPC convened on 30th and 31st January, 2001 and 1st and 2nd February, 2001 qua the applicant for promotion to the post of Commissioner of Income Tax ignoring the pending disciplinary proceedings against him;

iii) By issue of mandamus or any other appropriate order or direction in the nature of directing the respondents to open the sealed cover and act upon recommendations made by the DPC convened on 30th and 31st and 1st and 2nd February, 2001 qua the applicant for promotion to the post of Commissioner of Income Tax ignoring the pending disciplinary proceedings against him."

2. The applicant had also filed a separate OA No.170/2001 whereby he had impugned the order of punishment imposed on the conclusion of proceedings arising out of the chargesheet dated 20th June, 1997. By filing that OA the applicant has sought quashing and setting aside the said chargesheet. We have already decided OA No. 170/2001 and have passed necessary orders thereon. In view of the orders passed in that OA, this OA has become infructuous and is, therefore, disposed of as such. No order as to costs.

Chm/D

(A.P.NAGRATH)

Adm.Member

Smt. Agarwal

(S.K.AGARWAL)

Judl.Member