

(D)

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT CAMP: GWALIOR

ORIGINAL APPLICATION NO. 213 OF 2005

Gwalior, this the 6th day of November, 2006

**Hon'ble Dr.G.C.Srivastava - Vice Chairman
Hon'ble Shri A.K.Gaur - Judicial Member**

V.K.Goyal, S/o Shri G.P.Goyal, R/o 301, Jiwaji Nagar,
Thatipur, Gwalior-474011, Retired as Addl. Commissioner of
Income Tax, Kota.

-Applicant

(By Advocate - None)

Versus

1. Union of India, through the Secretary, Department of Revenue, Ministry of Finance, Govt. of India, New Delhi.
2. The Assistant Commissioner of Income Tax (HQr.)/ D.D.O., Kendriya Rajaswa Bhawan, Near C.A.D. Circle, KOTA, Raj.
3. The Secretary, Ministry of Health and Family Welfare, Govt. of India, New Delhi.

-Respondents

(By Advocate - Shri V.K.Sharma)

O R D E R (Oral)

By Dr.G.C.Srivastava, VC:-

None is present on behalf of the applicant. We proceed to decide the OA in the absence of the applicant or his counsel, in terms of the provisions of Rule 15 of Central Administrative Tribunal (Procedure) Rules,1987. Heard the learned counsel of the respondents and perused the pleadings..

2. Our attention has been drawn to the order passed by this Tribunal in O.A.No.1047/2005 (Sumer Chand Jain Vs. The Comptroller & Auditor General of India and others) on 3.10.2006. It has been stated that the present OA is squarely covered by the aforesaid decision in OA No.1047/2005.

(Signature)

Agreeing with this submission, we pass a similar order as was passed in the aforesaid OA.

3. Accordingly, we direct the respondents to apply the judgment and order as may be passed by the Hon'ble Supreme Court in SLP No.10659/2005 (Prabhakar Sridahar Bapat) & connected SLPs, to the present OA at the appropriate time. Further we give liberty to the applicant that after the aforesaid SLPs are disposed of by the Hon'ble Supreme Court and the applicant makes a representation to the competent authority for disposal of his representation in accordance with the directions as may be issued by the Hon'ble Supreme Court, the applicant can approach this Tribunal afresh without any consideration of limitation or delay and laches, after his representation is disposed of by the competent authority, in case he still feels aggrieved and so advised.

4. In the result, the OA is disposed of with the above directions. No costs.

A.K.Gaur
(A.K.Gaur)

Judicial Member

Dr.G.C.Srivastava
(Dr.G.C.Srivastava)
Vice Chairman

rkv

पूर्वांकन सं. ओ/न्या.....जबलपुर. दि.....
प्रतिलिपि अवयो दिन:—

- (1) सचिव, उच्च न्यायालय एवं एसोसिएशन, जबलपुर
- (2) आज्ञायक श्री/भीमाली/एकु.....के काउंसल
- (3) पत्त्यर्थी श्री/भीमाली/एकु.....के काउंसल
- (4) यंत्रालय, लोपाला, जबलपुर न्यायालय
सूचना एवं आवश्यक कार्यवाही के
उपरिकृत उपरिकृत

J.P.Srivastava

Abu R.W.

V.K.Sharma

Abu R.W.

*ISSUED
on 10.11.06
By*