

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 695 of 2005

Jabalpur, this the 5th day of April, 2006

Hon'ble Shri Justice M.A. Khan, Vice Chairman (S)
Hon'ble Dr. G.C. Srivastava, Vice Chairman (A)

D.M. Panvalkar,
S/o. Late Shri M.D. Panvalkar,
Aged about 40 years,
Inspector, Income Tax, O/o.
Commissioner of Income Tax-II,
Ayakar Bhavan,
Opposite White Church, Indore (MP). Applicant

(By Advocate – Shri Manoj Sharma)

V e r s u s

1. Union of India, through
Secretary, Ministry of Finance,
Department of Revenue,
North Block, New Delhi.
2. The Chief Commissioner of Income Tax,
(CCA), Ayakar Bhavan,
Hoshangabad Road, Bhopal (M.P.).
3. Shri R.G. Sharma, Income Tax
Officer (Gr.B), C/o. Chief Commissioner
of Income Tax, (CCA), Hoshangabad Road,
Bhopal. Respondents

(By Advocate – Shri S.A. Dharmadhikari)

O R D E R (Oral)

By Justice M.A. Khan, Vice Chairman –

The applicant has filed the present OA for quashing the order dated 15th July, 2005 (Annexure A-1), which relates to supersession of the applicant by respondent No. 3 who was promoted to the post of Income Tax Officer Group-B by order dated 15th July, 2005.

M. Khan

2. Today it is submitted at the bar by the learned counsel for the applicant that during the pendency of this OA, the respondents have promoted the applicant to the post of Income Tax Officer Group-B with effect from 15.7.2005 i.e. from the date the respondent No. 3 was promoted. He therefore, fairly submitted that the grievance of the applicant to that extent does not survive but the respondents have yet to amend the seniority list and place the applicant at the appropriate position above his junior Shri R.G. Sharma.

3. In the present case the applicant has not claimed any relief about amendment of any seniority list. He had been promoted to the post of Income Tax Officer Group-B with effect from 15th July, 2005, but has not been shown in the seniority list of the cadre of Income Tax Officer Group-B at the appropriate place in view of his retrospective position to the post with effect from 15th July, 2005, vis-à-vis to the junior Shri R.G. Sharma, respondent No 3. The fixation of the seniority of the applicant is a natural consequence of the applicant's promotion to the cadre of Income Tax Officer Group-B which we think would be done in due course.

4. Accordingly, there nothing survives in the present OA. In view of the above, the OA stands disposed of. No cost.

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

M.A. Khan
(M.A. Khan)
Vice Chairman

"SA"

पृष्ठांकन सं. ३०/न्या..... जबलपुर, दि.....
पठिगियरी एवं रिकार्ड:-
(1) सचिव, दायरा, विभाग: एवं उपसचिवाना, जबलपुर
(2) आवेदक श्री/महिला/पुरुष के काउंसल
(3) फूचली श्री/महिला/पुरुष के काउंसल
(4) विधमान, दोप्राता, जबलपुर एवं दूसरों
सूचना एवं आवश्यक कार्यवाही देते

Manoj Sharma
D.D. 22/23
S.A. Dharmendra
D.D. 22/23

13-6-06
13-6-06
B7D
B7D
B7D
B7D