

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH  
JABALPUR

O.A.No.680/2000

Hon'ble Sh. Sarweshwar Jha, Member (A)  
Hon'ble Sh. Bharat Bhushan, Member (J)

Jabalpur, this the 12th day of November, 2003

Smt. Sushila Gaur  
w/o Late Shri Moti Lal Gaur  
147, Sanjeevni Nagar  
Jabalpur.

... Applicant

(By Advocate: Sh. H.N.Banerjee)

Versus

1. Union of India through  
the Secretary  
Ministry of Finance  
Department of Revenue  
Govt. of India  
New Delhi.
  2. Deputy Secretary  
Ministry of Finance  
Department of Revenue  
Govt. of India  
New Delhi.
  3. Chairman  
Central Board of Direct Taxes  
North Block  
New Delhi.
  4. Chief Commissioner of Income Tax  
Madhya Pradesh, Aaykar Bhawan  
Hoshangabad Road  
Bhopal.
  5. Commissioner of Income Tax  
Napier Town  
Jabalpur.
- .. Respondents

(By Advocate: Sh. B. Dasilva through Sh. G.P.Dubey)

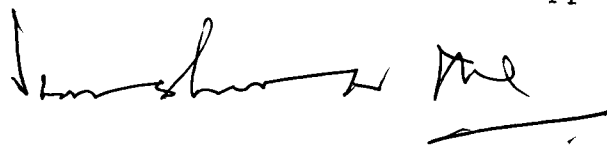
O R D E R (oral)

By Sh. Sarweshwar Jha, Member (A):

Heard the learned counsel of both the sides.

2. At the outset, it <sup>been</sup> has/observed that the  
case of the applicant is dependent on the fact that

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the charges have been dropped against her deceased husband, and, therefore, he should have been given the benefit of promotion with reference to his juniors and, accordingly, her family pension as a result of the demise of her husband should have been revised, assuming that the applicant would have been granted promotion as Assistant Commissioner of Income Tax with reference to his juniors.

3. On perusal of the application as well as the reply of the respondents, it is, however, not clear whether the applicant's husband had been considered along with his juniors for promotion to the post of Assistant Commissioner of Income Tax when the said promotion was due in the case of the applicant's husband.


4. It is also not clear whether the case of the applicant's husband, in the event of his having been considered by the DPC, as referred to hereinabove, had been kept in sealed cover as per the procedure on the subject.

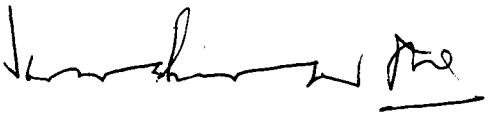
5. That being the case, we are of the considered opinion that it would be appropriate that this OA is disposed of, at this stage, with directions to the respondents to look into the matter with reference to whether the applicant had been considered along with his juniors as referred



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to by the applicant in her application and whether, in the event of his having been considered, his case <sup>had</sup> been kept in sealed cover and further that the matter raised in this OA may be disposed of by them after carrying out the necessary exercise and verification as directed above by issuing a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order. No costs.

  
(BHARAT BHUSHAN)  
MEMBER(J)

  
(SARVESHWAR JHA)  
MEMBER(A)

/rao/

*Recd-  
on  
19.11.03*

पृष्ठांकन सं ओ/व्या..... दि.....

- (1) सचिव, न्यायिक सेवा, न्यायिक सेवा, न्यायिक सेवा
- (2) सचिव, न्यायिक सेवा, न्यायिक सेवा, न्यायिक सेवा
- (3) सचिव, न्यायिक सेवा, न्यायिक सेवा, न्यायिक सेवा
- (4) सचिव, न्यायिक सेवा, न्यायिक सेवा, न्यायिक सेवा

*19.11.03*