

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH
JABALPUR

O.A.№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 ^{been} ~~has~~ observed that the
case of the applicant is dependent on the fact that

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Sarweshwar Jha

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

Swasth DSC

Contd....3/-

to by the applicant in her application and whether, in the event of his having been considered, his case ~~had~~ 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)



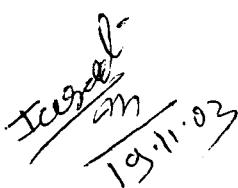
(SARWESHWAR JHA)
MEMBER (A)

/rao/

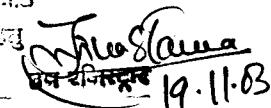
पृष्ठांकन दर्ता ओ/व्या....., दि.....

राज्यालय विधायिका विभाग, दिल्ली, भारत

(1) लेफिल दर्ता ओ/व्या....., दि....., दिल्ली, भारत
(2) लेफिल दर्ता ओ/व्या....., दि....., दिल्ली, भारत मन्त्री सचिव M.N. Sangher, Adv.
(3) लेफिल दर्ता ओ/व्या....., दि....., दिल्ली, भारत लाइसेन्स ट्रायल ट्रिम्पटर Ts. Chaitanya, Adv.
(4) लेफिल दर्ता ओ/व्या....., दि....., दिल्ली, भारत लाइसेन्स ट्रायल ट्रिम्पटर Ts. Chaitanya, Adv.



19.11.03



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