

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.1035/2018

MA No.1169/2018

New Delhi this the 08th day of March, 2018

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. Gaurav Sinha,
(aged about 32 years)
S/o. Sh. Yugal Kishore Prasad,
R/o. Flat No. 1503, T-8, Zen Spire,
Ramprastha Greens, Sec-9, Vaishali,
Ghaziabad – 201010.
Working as Inspector in the office of
Commissioner, GST, Audit-1, Delhi.
2. Kumar Vikram
(aged about 32 years), S/o. Manik Lal,
R/o. A-61, 2nd Floor, Ganesh Nagar,
Pandav Nagar Complex, Delhi – 110 092,
Working as Inspector, Group-41, Circle-5,
Audit-I, Delhi.
3. Pankaj Kumar Singh
(aged 47 years), S/o. Sh. Y. R. Singh,
R/o. B-1404 Ajnara Integrity, Rajnagar Extension,
Ghaziabad – 201017.
Working as Inspector (AE), GST Delhi
South Commissionerate,
Bhikajicama Place, New Delhi.
4. Vijay Kumar,
(aged about 44 years)
S/o. Sh. Baleshwar Sahni
R/o. Flat No. 1, First Floor, L-Type,
Madhav Appartment,
Plot No. 2 & 3, Kakrolla, Sector-16 B, Dwarka,
New Delhi- 110 078.
Working as Inspector Office of Commissioner,
GST Audit II Commissionerate, Bikaji Cama Place,
New Delhi – 66.
5. Anuj Kumar Niraj
(aged about 37 years)
S/o. Jay Kumar,

R/o. Flat No. 81, Swastik Kunj, Sector-13,
Rohini.

Working as Inspector in Central Taxes and Central
Excise, Delhi North.

6. Ashwiny Kumar Bhardwaj,
(aged about 32 years)
S/o. Sh. Brij Bhushan Bhardwaj,
R/o. H. No. 25, Flat No. 101 Suraj Vihar,
Dwarka Mod, New Delhi.
7. Vijay Goyal
(aged about 36 years)
S/o. Sh. Mahesh Chand Goyal
R/o. 116, Chitra Vihar, Delhi -110 092
Working as Inspector of Central Excise & GST,
O/o. Assistant Commissioner,
Division – Gandhi Nagar,
Central GST, Delhi East.
8. Nitesh Kumar,
(aged about 34 years)
S/o. Sh. Nathun Prasad,
R/o. Flat No. 34C, Krishna Apartments,
Paschim Vihar, New Delhi,
Working as Inspector in CGST Delhi South,
3rd Floor, EIL Annexe Building,
Bhikaji Cama Place, New Delhi – 66.
9. Jyoti (aged about 36 years)
D/o. Sh. Brahm Deo Mishra
R/o. B-1/7, Rajapuri Gali No. 5, Uttamnagar,
New Delhi-110 059.
Working as Inspector in the office of
GST, Audit-II, Commissionerate,
EIL Annexe Building, Bhikaji Cama Place,
New Delhi.
10. Ritu Bhargarva
(aged about 47 years)
D/o. S. N. Bhargava
R/o. 7, North West Avenue, Punjabi Bagh Extension,
New Delhi.
Working as Inspector CGST, North in the office of
Principal Commissioner CGST North,
C.R. Building, I.P. Estate, New Delhi.
11. Ramanand,
(aged about 36 years)
S/o. Sh. B. N. Pathak

R/o. C-152/I, Kendriya Vihar-II, Sector-82,
Noida-201 304
Working as Inspector
Office of Commissioner,
Circle-2A, GST Audit Gurugram, Mudit Square,
Plot No. 24, Gurugram.

12. Surender Singh
(aged about 36 years)
S/o. Sh. Satpal Singh
R/o. House No. 1520, Sector-15,
Near Raju Dairy, Sonipat – 131 001
Working as Inspector in the office of
Commissioner, GST, Rohtak.
13. Sandeep Hablani,
(aged about 34 years)
S/o. Darshan Lal Hablani,
R/o. House No. 1063, Sector-38, Gurgaon,
Working as Inspector in GST Audit Gurugram.
14. Shantanu Singla
(aged about 36 years)
S/o Narinder Parkash Singla
R/o Flat-37-C, DDA Flats, Pkt-1
Sector-10 Dwarka, New Delhi-110075
Working as Inspector Commissioner of GST
Audit-II Delhi, EIL Annexe Building
Bhikaji Cama Place, New Delhi-110066.
15. Lovesh Malik, (aged about 34 years)
S/o Shri Dhiraj Singh Malik
R/o 16-B, Old Housing Board Colony
Sonapat(Haryana)
Working as Inspector, Directorate General of GST
Intelligence (Hqrs), New Delhi
(On loan from Cadre Control Unit, CGST
New Delhi).
16. Pavan Kumar Agrawal
(aged about 35 years)
S/o Sh. Satish Chand
R/o H. No. 1469, Saran School Road
Jawahar Colony NIT Faridabad-121005
Working as Inspector of GST, Hqrs
Systems Branch, CGST Faridabad
Commissionerate.
17. Deepak Singh(aged about 32 years)
S/o Surender Singh R/o 34, Radio Colony

Akashwani, Rohtak-124001
Working as Inspector, CGST & Central Excise
CGST Division, Rohtak, CGST
Commissionerate, Rohtak

18. Rajni (aged about 34 years)
D/o Ranbir Singh
R/o H.No. 749/22 Shastri Park Opp.
Navjeevan Hospital
Rohtak Road, Sonapat-131001.
Working as Inspector O/o Assistant
Commissioner, GST Division
Sonapat, Range-25
Sonipat Division, GST Commissionate Rohtak
19. Ashish Semwal
(aged about 34 years)
S/o about Sh. Brij Mohan Semwal
R/o 149-D, Professor Colony
Yamuna Nagar working Inspector
Technical, Central Tax
Yamuna Nagar Division.
20. Saurabh Sandhu
(aged about 34 years)
S/o Sh. Angad Kumar Sandhu
R/o H. No. 351, W. No.1, Indri
Distt, Karnal working as Inspector
Central Tax, Karnal Division.
21. Ashish Kumar Sharma
(aged about 31 years)
S/o Sh. Mohan Lal Sharma
R/o c/o Amit Kumar Flat No.713, Silverbell A
Shalimar City, Shalimar Garden
Wazirabad Road, Sahibabad, Ghaziabad
UP 201005
Working as Inspector, Circle 10 Group 6
GST AUDIT II, New Delhi @1st Floor
EIL Annexe, Building, Bhikaji Cama Place
New Delhi-66.
22. Gangesh Gunjan (aged about 33 years)
S/o Diwakar Prasad Singh
R/o B6/905, Cherry County
Greater Noida(West)
Gautam Budh Nagar, U.P. – 201306
Working as Intelligence Officer in the
Directorate of Revenue Intelligence, 'D' Block
I.P. Bhawan, I.P. Estate, New Delhi-110002.

23. Uday Kumar Mishra (Aged about 36 years)
S/o Mahanand Mishra
R/o SRB 42-C, Shipra Riviera
Gyan Khand 3
Indirapuram, Ghaziabad-201014
Working as Inspector, GST Audit 1, Delhi.
24. Rakesh Manocha (Aged about 37 years)
S/o Rajinder Lal
R/o H.No. 3168, Opp. Grain Market
Singh Pura Colony, Barara
Distt. Ambala-133201
Working as Inspector, Goods and Service Tax,
Range 18 Office of Deputy Commissioner of Goods and
Service Tax Ambala Division, Panchkula
Commissionerate.
25. Seema Rani (aged about 30 years)
D/o Subhash Chand
R/o Flat No.446, 2nd Floor, Sector-38
Gurugram, Haryana
Working as Inspector in the O/o the
Commissioner of CGST
Gurugram, Plot No.36-37, Sector 32
Gurugram.

...Applicants

(By Advocate: Shri L.R. Khatana)

Vs.

1. Union of India
through Secretary to the Govt of India
Department of Revenue
Ministry of Finance
North Block, New Delhi-110001.
2. Chairman, Central Board of Excise and Customs
Department of Revenue, Ministry of Finance
North Block, New Delhi-110001.
3. Chief Commissioner, Central Excise, Delhi Zone
C.R. Building, New Delhi-110002.
4. Addl. Commissioner (Cadre Control)
Central GST, Delhi Zone
I.P. Estate, C.R. Building
New Delhi-110002.

...Respondents

(By Advocate: Shri Rajeev Kumar)

ORDER (ORAL)**Justice Permod Kohli:****MA No.1169/2018**

Joining together Application is allowed.

OA No.1035/2018

2. Notice. Shri Rajeev Kumar, learned counsel appears and accepts notice.

3. The applicants are working as Inspectors in the office of the Commissioner, Delhi Zone. They have challenged the communication dated 01.03.2018 from Additional Commissioner(Confidential) to various Additional/Joint Commissioner(CCO) of Delhi Zone seeking vigilance clearance in respect to Inspectors for promotion to the grade of Superintendent and APR gradings etc. The aforesaid communication further reveal that the DPC for promotion to the grade of Superintendent has been scheduled for 09.03.2018. The applicant has placed on record copy of a draft seniority list circulated vide circular dated 27.02.2018 inviting objections from the concerned within 15 days of the receipt of the letter. The said letter has been issued to various Commissionerats for being circulated to the Members of service.

4. Shri L.R. Khatana, learned counsel for the applicants submits that even before the expiry of the time for filing

objections/representations, the respondents have fixed 9th March, 2018 as the date for holding DPC for promotion, which clearly means that the draft seniority list is being considered for according such promotions. His submission is that the applicants and may be various other eligible persons may have grievance in respect to the seniority list. In any case, the applicants have a grievance and they are yet to file their objections for which time is available to them, but the respondents are pressing hard to make promotions without considering the objections that may be filed and without finalizing the seniority list. There is substance in the submission of Mr. Khatana.

5. In view of the above admitted facts on record, we deem it appropriate to dispose of this OA at the admission stage itself with a direction to the respondents not to hold the DPC without finalizing the seniority list after considering the objections/representations that may be filed by the concerned persons within the prescribed time.

Order **dasti**.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/vb/